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PLENARY MEETING

Monday, 1 November 1993
at 3 p.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 14 *(continued)*

REPORT OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

(a) NOTE BY THE SECRETARY-GENERAL TRANSMITTING THE REPORT OF THE AGENCY (A/48/341)

(b) DRAFT RESOLUTION (A/48/L.13 and Corr.1)

Mr. INDERFURTH (United States of America): On behalf of the United States, my delegation wishes to express its strong support for the draft resolution on the annual report of the International Atomic Energy Agency (IAEA) for 1992. In carrying out its dual responsibility of promoting the peaceful uses of nuclear energy and guarding against its use for any military purposes, the IAEA, through the provision of safeguards, fosters international peace and security and is therefore an institution of critical importance to the United States and the international community. We commend Director General Blix and the IAEA secretariat for their demonstrated diligence and commitment in carrying out these responsibilities.

The IAEA's extensive, effective and unique system of safeguards provides the foundation of international cooperation in the peaceful uses of nuclear energy. The safeguards system provides important assurances that transfers of nuclear technology and information will not be diverted for military purposes and thereby undermine international peace and stability. President Clinton, in his address to the General Assembly on 27 September, stated that non-proliferation was one of our nation's highest priorities. He noted the role of the IAEA in this regime and called on the international community to continue supporting and strengthening the IAEA.

The United States commends the IAEA and its Board of Governors for actions taken to strengthen its safeguards programme - especially in reaffirming its right to request special inspections for undeclared facilities; in requesting Member States to share intelligence data and to expand their reporting of nuclear imports, exports and design information; in establishing systems to better analyse these data; and in examining whether and how it might incorporate environmental monitoring techniques into safeguards practices. All these steps will increase the transparency of a Member State's nuclear activities and should improve the IAEA's ability to detect clandestine activities.

I should now like to address the question of the IAEA's role in dealing with specific countries and regions of non-proliferation concern.

The United States strongly commends the IAEA for its efforts to implement safeguards in North Korea. Despite the Agency's efforts, we are deeply concerned that the Democratic People's Republic of Korea has not yet accepted IAEA inspections necessary to maintain the continuity of safeguards. As Director General Blix has stated, the longer these inspections are delayed, the more continuity of safeguards is threatened. We urge the Democratic People's Republic of Korea to accept these inspections as soon as possible and to cooperate

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immediately with the Agency in the full implementation of their safeguards agreement.

These inspections are essential to give the international community confidence that the declared nuclear facilities of the Democratic People's Republic of Korea are being used exclusively for peaceful purposes. Unless the continuity of safeguards is maintained, the United States will not continue its discussions with the Democratic People's Republic of Korea, and will be forced to return this issue to the Security Council for further action. My Government remains committed to seeking a diplomatic solution that supports peace and security on the Korean peninsula and strengthens the international non-proliferation regime, but we cannot continue this diplomatic process unless we are confident that continuity of safeguards is maintained.

The IAEA effort to find and destroy Iraq's nuclear programme has been an impressive success. None the less, as Director General Blix has noted, there remain gaps in our knowledge of Iraq's procurement channels and sources of scientific and technical information. Moreover, Iraq has not yet acknowledged its obligation, under Security Council resolution 715 (1991), to accept long-term monitoring and verification, nor has it demonstrated willingness to implement the requirements of the IAEA's plan for long-term monitoring. Accordingly, we urge Iraq to take the steps required by the IAEA, under the terms of Security Council resolutions 687 (1991) and 715 (1991), and we support the IAEA's intention to require full satisfaction on these issues before reporting to the Security Council that Iraq is in compliance with the relevant portions of these resolutions.

We are witnessing historic breakthroughs in the peace process in the Middle East. The achievements in the bilateral talks open new possibilities for arms control and regional security. We hope that continued political progress between Israel and its neighbours will enhance possibilities to move forward towards the creation of a zone free of all weapons of mass destruction and their delivery systems in the Middle East and to limit the destabilizing build-up of conventional armaments in the region. The United States supports IAEA participation in these efforts, especially to assist regional discussions on effective verification of a nuclear-weapon-free zone in the Middle East.

In South Africa, we are pleased that the IAEA's visits and inspections have been open and productive. We welcome the Agency's efforts in confirming South Africa's initial declaration of nuclear materials, and we commend the Government of South Africa for its extensive cooperation with Agency officials in carrying out their safeguards responsibilities. We also look forward to the establishment of a nuclear-weapon-free zone in all of Africa.

The United States welcomes the stabilizing effect of advances in safeguards in Latin America. We look forward to the early entry into force of the quadripartite safeguards agreement involving the IAEA, Argentina, Brazil and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials. We pledge our technical support to the parties as they seek to develop an effective safeguards regime under this agreement.

I should now like to turn to several more general areas of non-proliferation interest, beginning with a cut-off of fissile material. The United States takes particular note of the Director General's optimism that the present international climate is favourable towards universal agreement on a verified cut-off of the production of plutonium and highly enriched uranium for explosive purposes. My Government shares this optimism. President Clinton, in his address to the General Assembly, stated forcefully the commitment of the United States to press for an international agreement that would ban for ever the production of these materials for weapons purposes. Verification through IAEA safeguards will, of course, be absolutely essential to the credibility of such a regime. Furthermore, President Clinton proposed submission of United States fissile material no longer needed as a nuclear deterrent to inspection by the IAEA. We also note the proposals to involve the IAEA in the verification of a Comprehensive Test Ban Treaty and shall consider them fully.

We believe that consideration of the IAEA's participation in disarmament activities beyond its traditional safeguards role is a tribute to the respect for it as an international institution that has developed. As the Director General pointed out in his statement, the added workload of verification - and the resources needed for it - will be significant. The United States believes that we need to take a serious look at mechanisms for providing what could be substantially increased resources for IAEA safeguards.

The Nuclear Non-Proliferation Treaty (NPT) stands as the primary legal and political barrier to the further proliferation of nuclear weapons, and reflects the international consensus that nuclear proliferation remains one of the gravest threats to global security and stability. The IAEA is closely linked to the Treaty, which relies on the IAEA safeguards system to monitor Parties' compliance with its provisions. Efforts to strengthen these safeguards will also strengthen the NPT. It is through the IAEA that the United States is able to direct resources and

other technical support to NPT Parties, in fulfilment of the provisions of Article IV of that Treaty, which calls for the fullest possible cooperation between Parties in the peaceful uses of nuclear energy. The United States believes that the indefinite and unconditional extension of the NPT in 1995 will provide the greatest possible assurance that the Treaty's contributions to global security and to the peaceful development of nuclear energy will endure.

The United States also fully supports Agency efforts to improve the safety of civilian nuclear installations in member countries. We applaud the secretariat's ongoing support for discussions among Member States' experts, leading to an international nuclear safety convention. We also commend Agency efforts to update and improve its existing technical documents on nuclear safety, as well as endeavours to conduct studies and analyses which will provide a technical basis for assessing and improving the safety of Soviet-designed power-reactor types. These efforts will, in our view, reduce the risk of another Chernobyl-type accident.

There are two other areas of concern that I would like to mention. First, in regard to the dumping of radioactive waste in the Arctic Sea, the IAEA is developing an important role in the international evaluation of the effects on human health and the environment of radioactive waste dumped into the Arctic environment. The United States supports these efforts. Secondly, concerning the peaceful uses of nuclear power, the IAEA report for 1992 makes clear the extent of the Agency's provision of technical assistance to the developing world. The IAEA has assisted countries in all aspects of the application of peaceful nuclear science and technology, from nuclear-power planning and development and waste management to assistance in non-nuclear-power technologies. This is an important role which my Government continues to support strongly, and we encourage other IAEA member States to do the same.

On September 27, in his address to this body, President Clinton said that, as one of our nation's highest priorities, we would weave non-proliferation

> "more deeply into the fabric of all of our relationships with the world's nations and institutions." *(Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 4th meeting, p. 10)*

Our strong support for the IAEA is a crucial part of this effort. The United States pledges to continue this support as an essential element of our overall United States non-proliferation efforts, including regional nuclear-weapon-free zones, a comprehensive nuclear test-ban treaty and a convention for the cut-off of fissile material production.

Finally, my Government wishes to commend the IAEA for its invaluable contribution to international peace, security and welfare.

Mr. BREITENSTEIN (Finland): Let me start by saying that Finland, at present a member of the Board of Governors of the International Atomic Energy Agency (IAEA), very much appreciates the leadership that Director General Hans Blix is providing the Agency as it faces the many challenges which peaceful and safe use of nuclear energy continues to present.

While many issues on the Agency's agenda merit our attention, I shall in this intervention concentrate on just three which my Government regards as the most important and urgent. These are: the strengthening of IAEA safeguards, the new tasks before the Agency in the context of nuclear disarmament, and the question of implementation of IAEA safeguards in the Democratic People's Republic of Korea.

Turning to safeguards, Finland supports a thorough overhaul and modernization of the IAEA safeguards system. We are following with keen interest the development of new safeguards concepts. It is of fundamental importance that the Agency streamline its safeguards implementation and put in a more efficient and cost-effective safeguards performance. As we see it, improvement of the Agency's safeguards system is one of the key questions during the period leading up to the 1995 non-proliferation Treaty review and extension conference. Greater reliance on national systems of accountancy and control, a partnership approach with regional organizations such as the European Atomic Energy Community (EURATOM), and intensification of the Agency's efforts to detect undeclared nuclear activities are important steps in the right direction.

However, the Agency and the United Nations face challenges that necessitate an even bolder approach. The IAEA must be ensured adequate financial and personnel resources for effective safeguards implementation. As possibilities for additional financial resources are scarce, the issue of differentiation in safeguards implementation must be addressed. The differences in risk posed by different nuclear facilities and programmes must be factored in when safeguards resources are allocated. Only thus can the available resources be utilized in a way that will meet the vital non-proliferation objective.

The need to strengthen the credibility of safeguards is palpable. We are not advocating the role of a global nuclear policeman for the Agency, but we are convinced that it is not sufficient for it to continue as only a global nuclear bookkeeper. Bookkeeping is important, but

safeguards implementation must be directed towards an approach that is less dependent on routine inspections and more focused on detecting possible non-routine activities.

Finland has volunteered for the role of a trial country for new methods of safeguards implementation. We shall continue our support programme for safeguards implementation and gear it to streamlining such implementation.

The Agency must also tackle the task of developing safeguards for the nuclear activities of the newly independent States, which will hopefully soon come under full-scope IAEA safeguards. To facilitate further implementation of safeguards in Ukraine, Finland has started a bilateral assistance programme to help the Ukrainian nuclear safety and regulatory authorities in this regard.

I shall now turn to the new tasks facing the Agency.

The question of banning nuclear tests is closely related to the other non-proliferation tasks performed by the Agency. We see the IAEA as a natural and cost-effective umbrella organization for the implementation of the future comprehensive nuclear test-ban treaty. Verification will be a central issue in negotiating the test ban. So are costs. Mandating the IAEA to act as the verification agency of the test-ban treaty would, in our opinion, be justified. To a large extent, the IAEA already has the concepts and the experience relevant to the task. The additional cost to the Agency would, in our view, be modest compared to the cost of setting up an entirely new international organization. Disarmament budgets are already strained by the cost of establishing the Organization for the Prevention of Chemical Weapons.

Finland supports an international agreement on a ban on the production of highly enriched uranium and plutonium for nuclear-weapons purposes. The IAEA would, in our view, be ideally suited for the verification of such a cut-off and for the verification of weapons-grade material made redundant through the process of nuclear disarmament.

While safeguards implementation and participation in disarming Iraq have put the IAEA to a demanding technical test, the case of the Democratic People's Republic of Korea has put the Agency's decision-making capacity and safeguards policy to an equally demanding political test. The credibility of the non-proliferation Treaty will not withstand indefinite non-compliance by a State party. Finland has favoured dialogue and urged negotiated compliance in regard to the special inspection of the Democratic People's Republic of Korea. We hope that the avenue of patience and dialogue will soon lead to the required results. We fully agree with the Director General that the only legal basis and guideline for the relations between the Agency and the Democratic People's Republic of Korea is to be found in the safeguards agreement and the non-proliferation Treaty. We strongly urge the Democratic People's Republic of Korea to reconsider its position and comply with the obligations it entered into freely when concluding its safeguards agreement with the IAEA.

Finland remains committed to the purposes of the Agency as it contributes to the safe and secure use of nuclear energy for peaceful purposes. We have consistently supported the efforts of the Director General and his staff in implementing the safeguards regime mandated by the States members of the Agency. We shall continue to do so.

Mr. KOVANDA (Czech Republic): In a recent statement in the First Committee my delegation has discussed several of the issues mentioned here by other speakers. Today, I should like to detail the efforts of the Czech Republic to continue in and take up the commitments of Czechoslovakia with respect to the International Atomic Energy Agency (IAEA) and to mention some tasks which we feel lie ahead of my country.

As members are aware, after 35 years of fruitful and active cooperation Czechoslovakia, one of the founding members of the IAEA, terminated its membership in the Agency owing to the country's dissolution on 31 December 1992.

From the very first moment of its existence, the Czech Republic has been interested in resuming IAEA membership, since it considers the Agency to be one of the most important and most highly respected of United Nations agencies, one that has contributed in a decisive way to the preservation of peace and understanding among nations by promoting international cooperation in the peaceful application of nuclear energy and by its control safeguards system targeted at nuclear non-proliferation.

When submitting its application for membership to the IAEA at the beginning of this year the Czech Republic declared that it considers itself bound by all the Agency obligations and agreements to which Czechoslovakia had been a signatory. The Czech Republic acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), confirmed its succession to the Agreement between the IAEA and Czechoslovakia on the implementation of safeguards, became a member of the Nuclear Suppliers Group, adopted the provisions of both parts of Information Circular (INFCIRC)/254 and, in the sense of the Zangger

Committee decision, it is also a member of that body. Since its foundation on 1 January of this year the Czech Republic has continued to implement IAEA safeguards according to the Information Circular (INFCIRC)/153 model document. My country has simultaneously confirmed its succession to the Convention on the Physical Protection of Nuclear Material, the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

We have accepted with satisfaction the positive recommendation of the Board of Governors concerning our membership in the IAEA, which was issued last February, as well as the decision of the thirty-seventh session of the General Conference of IAEA on 27 September last to approve the membership of the Czech Republic in the Agency. We have also highly appreciated the helpful approach of the IAEA secretariat, which has helped to ensure our participation in all Agency activities and the continuity of the programmes of technical assistance and extrabudgetary projects targeted at the Czech Republic in 1993. Those activities include our participation in expert programmes aimed at the assessment of nuclear-reactor operational safety, in operational-accidents notification systems, in the extrabudgetary programme aimed at enhancing technical and safety standards of water-cooled and moderated reactors and in a number of other national and regional technical assistance programmes. Czech authorities supervising the safety of nuclear plants have implemented the basic IAEA standards and the recommendations of its advisory groups.

The Czech Republic appreciates highly the IAEA efforts in the field of nuclear non-proliferation. In particular, the follow-up to the nuclear non-proliferation Treaty performed through the Agency's safeguards system has proved that, in spite of certain drawbacks, the IAEA is irreplaceable. In this context we should like to commend especially the Agency's recent monitoring activities in Iraq based on United Nations Security Council resolution 687 (1991) and its efforts to create conditions for concluding a safeguards agreement with, and consistent observation of the nuclear non-proliferation Treaty by, the Democratic People's Republic of Korea. I cannot express strongly enough our support for those measures.

The Czech Republic intends to resume the tradition of good cooperation with the IAEA, not only by providing its own experts for its own monitoring activities, but also by granting lasting, active support to all positive efforts to enhance the strength and effectiveness of the IAEA safeguards system, enabling the system to cover growing requirements from its limited funds.

I should like to assure members, in the name of the Czech Government, that the issue of the peaceful application of nuclear energy will remain in the limelight for the Czech Republic. One of the urgent tasks at hand is the drafting of nuclear legislation that would regulate problems insufficiently covered by our current legislation. These include nuclear-waste disposal, the end of the nuclear-fuel cycle, legal responsibility for nuclear damage, and associated insurance of nuclear-power-plant operators.

In all fields we intend to continue to implement to the maximum degree the IAEA recommendations, attitudes and instruments so as to tackle the sensitive issues at the level of current international requirements and international practice. In the very near future the Czech Republic will address the issue of civil-law provisions with respect to responsibility for nuclear damage, which are currently being discussed by the Czech Government.

When dealing with problems associated with nuclear energy the Czech Republic intends to continue the good relations Czechoslovakia had with its neighbours. That is why my country has declared that it considers itself bound, without any reservations, by agreements concluded between Czechoslovakia and Austria, Germany and Hungary, respectively. The Czech Government has recently discussed a draft governmental agreement with the Slovak Republic on cooperation in the field of nuclear safety, and we have also been following attentively and giving our full support to the preparations for the international convention on nuclear safety. We appreciate the efforts of the IAEA devoted to the preparation of the concept, and we are convinced that adopting the convention will further enhance the international significance of the IAEA and contribute to global harmonization of basic requirements concerning nuclear safety.

The Czech Republic fully realizes the importance of IAEA activities in the field of technical assistance and cooperation in the peaceful application of nuclear energy for economic and social progress in developing countries. As a State with a well-developed nuclear programme, my country is ready to assist such countries by providing experts, accepting trainees, organizing training courses and coordinating research programmes. We are able to pay the full amount of this year's voluntary contribution to the Technical Assistance and Cooperation Fund as well as our contribution to the Agency's regular budget. The Czech delegation appreciates the activities of the IAEA in the period analysed in the report and highly values the self-sacrificing work of its secretariat, headed by Director General Hans Blix, as well as of the Chairman and members of the Board of Governors. Allow me to express

the resolve of the Czech Republic to support the IAEA fully and actively in all spheres of its activity in the future.

Mr. HALACHEV (Bulgaria): The Bulgarian delegation would like to associate itself with the other delegations that have expressed great esteem and appreciation to Mr. Hans Blix and the staff of the International Atomic Energy Agency (IAEA) for the competence and efficiency with which the important functions of the Agency are carried out. We are thankful to the Director-General for the annual report and for his comprehensive statement on the work of the IAEA. Under his leadership, 1992 became another successful year in which the tasks of the Agency have been undertaken in a way that inspires the confidence and gratitude of Member States.

The annual report of the IAEA clearly demonstrates that the Agency has continued to fulfil its responsibilities as provided for in its Statute and the resolutions of the General Conference and the Board of Governors. Accordingly, guided by this understanding, my delegation has become a sponsor of and strongly supports the draft resolution in document A/48/L.13 on the Agency's annual report for 1992.

Nuclear non-proliferation issues and the Agency's safeguards were at the forefront of international headlines throughout 1992. This year has seen the start of the process leading to the Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons in 1995. Bulgaria firmly believes that the non-proliferation Treaty, with its 160 States Parties, is the cornerstone of the whole non-proliferation structure. Central to the Treaty are Articles III and IV, dealing with safeguards and technical cooperation. The Treaty review and extension process will therefore interact with developments within the IAEA in these two areas. We favour the indefinite and unconditional extension of the non-proliferation Treaty and believe that such an outcome would further strengthen global security and stability.

It has been suggested that the Agency may have a role in the verification of a comprehensive nuclear-test ban. A world-wide cut-off in the production of fissionable material for weapons purposes would be another extremely important nuclear-arms control measure capable of strengthening the non-proliferation regime. The Agency is perfectly qualified to be the monitoring organ for a cut-off agreement. A further task which has to be addressed by the Agency is the need for secure handling and storage of highly enriched uranium and plutonium from dismantled nuclear warheads. All this underscores the ever-growing importance of the IAEA in the efforts to remove the threat of nuclear proliferation, which remains the greatest challenge.

Confidence in the international non-proliferation regime can exist only when States are completely transparent with regard to their nuclear activities. Full cooperation with the IAEA, which administers the nuclear non-proliferation system on behalf of the international community, is essential. The right of the Agency to perform special inspections where necessary must be upheld. As a last resort, the backing of the Security Council may be needed.

The safeguards system is a key element of the non-proliferation regime. Bulgaria has welcomed the close cooperation of South Africa with the IAEA that has led to transparency with regard to its past nuclear programme as well as its present nuclear activities. We call upon those States which have not yet done so to accede to the non-proliferation Treaty and to conclude and implement the required safeguards agreements with the Agency. In this context, we would like to express our deep concern with regard to the implementation of the safeguards agreement between the Democratic People's Republic of Korea and the IAEA in connection with the non-proliferation Treaty. We hope that the Democratic People's Republic of Korea will meet in full its obligations under this agreement.

My delegation also believes that each Member State should strictly comply with Security Council resolutions and provide the requested information concerning its nuclear activities. We express our confidence in and full support of the Director General and his staff for their impartial and tireless efforts in the implementation of the responsibilities entrusted to the IAEA by the entire international community.

Bulgaria is of the opinion that beyond the obligation of providing information on their nuclear programmes, Member States should supply the Agency with relevant information which may help the safeguards operations to become more effective. In this context, we support the establishment on a voluntary basis of a universal system of reporting to the Agency of the exports and imports of certain equipment and non-nuclear material commonly used in the nuclear industry. Thus, the necessary transparency in the nuclear activities of States will be provided, building confidence in their peaceful character. This will also reduce the risk of any violation taking place without being revealed in due time.

The Bulgarian Government has established a national system of nuclear-related export controls which meets the new international requirements. We believe that this will greatly facilitate our participation in a future universal

nuclear-related reporting system. We also support continuing efforts to strengthen nuclear dual-use export controls within the Nuclear Suppliers Group and the non-proliferation Treaty-based Zangger Committee.

The IAEA activities related to safeguards, nuclear safety and technical assistance are all areas of high priority. Without prejudice to the first two, I would like to comment on the technical assistance provided to Bulgaria by the IAEA for the enhancement of the nuclear and radiation safety of the Kozloduy nuclear-power plant.

The work carried out in the past three years on the reassessment of the site, its seismic characteristics included, in compliance with the IAEA standards, has been completed. The system for industrial seismic safety has been entirely upgraded. The necessary equipment has been furnished and a local network for seismic monitoring is being set up. The national regulatory authority has been helped in working out and codifying the documents on nuclear and radiation safety as well as in obtaining equipment for the mobile dosimetric laboratory of the Inspectorate on Radiation Safety.

The IAEA has also rendered help in the reassessment of the Kozloduy plant radioactive-waste management and in the establishment of realistic and scientifically based standards for the plant's radioactive emissions. The Agency continues to take an active part in successfully resolving the problems related to the safe operation of the WWER-1000 units and the treatment and storage of radioactive wastes by providing sophisticated equipment for metal control, diagnostic systems and software for thermohydraulics and neutron and physical analyses.

Valuable assistance has been given us by the Commission of the European Communities, the World Association of Nuclear Operators and the Consortium of Nuclear Energy Regulatory Bodies, which have worked out relative designs and performed scientific research and analyses. The financial aid given to us by the European Community, the World Bank and the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and France has been of crucial importance.

I would like to express the deep gratitude of the Bulgarian Government to the IAEA, the Commission of the European Communities, the other international institutions and the Governments of friendly States for their help, which has guaranteed the reliable and safe operation of our nuclear power-generating capacities in a time of hardship.

Parallel to the efforts aimed at further improving the safety of our nuclear-power plants, we will continue to broaden the application of nuclear methods in other areas, agriculture and medicine in particular. We will rely on the assistance of the Agency in the implementation of specific projects in these areas.

On its part, Bulgaria will do its best to contribute to the successful implementation of the Agency's programmes for technical assistance and cooperation. During the reported period, a regional seminar on current testing of WWER-type reactors was held in Kozloduy. Bulgaria also hosted the Research Coordination Meeting (RCM) on the biological effect of hot particles from Chernobyl.

In conclusion, allow me once again to express the high appreciation and unreserved support of the Bulgarian Government for the role and activities of the Agency aimed at promoting international cooperation in the use of nuclear energy for peaceful purposes and the efficient control over nuclear-weapons proliferation.

ORGANIZATION OF WORK

The PRESIDENT: I should like to make an announcement concerning agenda item 56, namely, "Restructuring and revitalization of the United Nations in the economic, social and related fields". As the Assembly is aware, I have been conducting consultations in order to determine how best to continue the work started at previous sessions. I propose to establish an informal, open-ended working group to prepare a draft resolution on the restructuring and revitalization of the United Nations in the economic, social and related fields, with a view to bringing this matter to the Assembly for decision no later than the end of November 1993. I have requested the Permanent Representative of Benin to serve as chairman of this informal, open-ended working group, which should commence its work as soon as possible.

With regard to agenda item 53, "Revitalization of the work of the General Assembly", I shall very shortly, in a day or two, make an announcement concerning the establishment of an open-ended working group with a view to carrying out the tasks set out in resolution 47/233 in order to seek a consensus text before the conclusion of the current session.

Finally, after the General Assembly has concluded its debate - scheduled for 23 November - on agenda item 33, "Question of equitable representation on and increase in the membership of the Security Council", I shall make a further announcement concerning the establishment of another open-ended working group to deal specifically with this issue.

In each of these cases, I intend to be actively involved in order to help ensure that the Assembly's expectations in the area of reform, restructuring and revitalization of the United Nations and its organs are fully satisfied.

AGENDA ITEM 14 *(continued)*

REPORT OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

(a) NOTE BY THE SECRETARY-GENERAL TRANSMITTING THE REPORT OF THE AGENCY

(b) DRAFT RESOLUTION (A/48/L.13 AND Corr.1)

Mr. ADEKANYE (Nigeria): The delegation of Nigeria has carefully read the annual report of the International Atomic Energy Agency (IAEA) for 1992, contained in document GC(XXXVII)/1060, and thanks the Director General for his comprehensive statement highlighting the progress made in the activities of the Agency during the year and outlining some of the challenges ahead. We extend to him our warm felicitations on his reappointment for another term of office and look forward to another fruitful period, under his able leadership, of consolidation and expansion in those activities.

Nigeria attaches great importance to international cooperation in the peaceful use of atomic energy, and has followed with close interest the role of the Agency in promoting the transfer and dissemination of nuclear techniques in agriculture, industry and medicine. In this connection, we note with satisfaction the progress that was made in the course of the year in expanding the Agency's technical assistance programmes in developing countries.

The development at the Agency's Seibersdorf laboratories of new crop varieties with superior yields, qualities and disease resistance through mutation breeding, and under soil and climatic conditions that prevail in some developing countries; the use of nuclear and nuclear-related technologies to diagnose rinderpest diseases; renewed efforts towards the eradication of tsetse fly using the sterile male technique; the use of irradiation for sterilizing medical products and their improvement by polymerization; and the use of nuclear techniques for trace element analysis of air, water, soil and biological samples to improve knowledge about movements of air pollutants - these are only a few of the important research efforts whose widespread dissemination would be beneficial to developing countries.

We commend the new orientation in the biennial technical assistance programme and believe that it would enhance national development as well as regional cooperation.

The Nigerian delegation notes with satisfaction that Africa's share in the total approved programme has continued to rise over the past years and is now the largest of any region's. The Agency's cooperation in the transfer of nuclear science and technology to Africa through the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (AFRA) has always been valued by my country.

The increase in the number of projects identified for funding in the region attests to the value that African member States attach to the Agency's contribution to our development. We urge the international community to maintain its commitment to AFRA by providing the requisite level of resources to facilitate the speedy execution of those projects.

It is noteworthy that the Agency's stepped-up activities in the area of technical cooperation coincide with a growing awareness that an appropriate balance needs to be struck between the safeguards and regulatory activities on the one hand and the promotional activities in the transfer and dissemination of nuclear techniques on the other. Global changes in the nuclear field, including encouraging developments in the disarmament process, provide strong reasons for a return to such a balance - as was envisaged at the Agency's creation - and for an alignment of resources to reflect this.

The role of the Agency in the area of safeguards, as spelt out in its statute, has never been more pronounced. Recent developments have revealed the limitations in the safeguards system and in the Agency's capability to meet fully its obligations under safeguards agreements with member States and pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons.

The difficulties experienced by the Agency in that process has stimulated discussion between member States and has resulted in the approval by the Board of Governors of a number of measures to strengthen the safeguards system. These are: the confirmation of the Agency's right to special inspections; early provision and use of design information; monitoring of trade in nuclear materials and specified equipment, and in non-nuclear materials; and improvement in the Agency's information base, along with its more critical use. We welcome these steps, and shall continue to follow closely any additional steps towards

agreement on new approaches that would make the safeguards system more efficient and cost-effective.

It is essential that the Agency continue to receive unqualified political support and cooperation in the implementation of safeguards agreements with member States. Commitments by all member States to abide by their obligations under such agreements are indispensable if the Agency is to maintain a credible verification system.

As the nuclear-disarmament process gains momentum, and all States involved agree on proposals for a verified cut-off in production of plutonium and highly enriched uranium for weapons or for other explosive purposes, the Agency's role as a credible verification mechanism for the peaceful use of nuclear material and installations will be more important. Possible applications of safeguards in a future nuclear-weapon-free zone in the Middle East and agreement on a complete test ban and an agreement on an international regime for the management of plutonium and highly enriched uranium would all impose new challenges and require new techniques for safeguards verification.

So far, the existing verification mechanism has been successfully invoked in South Africa to confirm the dismantlement of that country's erstwhile nuclear-weapons programme as well as its compliance with obligations consequent on its signature of a safeguards agreement with the Agency, in September 1991. The delegation of Nigeria welcomes the cooperation that the Agency inspection team received in that process.

This development has provided an important impetus to the efforts of countries in our region to establish an African nuclear-weapon-free zone. The formal adoption of the Treaty establishing that zone, the draft of which was agreed to at the meeting of the Group of Experts in Harare, Zimbabwe, in April 1993, will ensure Africa's total commitment to non-proliferation. It is the expectation of the Nigerian delegation that the Agency and the international community will maintain their level of support for these efforts. In the long term, it is essential that the Agency's experiences serve as a basis for broadening international transparency in compliance with safeguards agreements.

It is most reassuring to the Nigerian delegation that the Agency has reviewed the environmental content of its programme of activities pursuant to Agenda 21. In cooperation with two other Vienna-based organizations, namely, the Organization of Petroleum-Exporting Countries and the United Nations Industrial Development Organization, the Agency is carefully studying the problems and challenges of electric-power generation in relation to the environment. We also note that the Agency's programmes in radiation protection, nuclear techniques in environmental conservation, and water resource and utilization have been intensified as part of continuing efforts to strengthen environmental awareness of the non-power use of nuclear energy. It is desirable to maintain this interest.

In addition, there should be sustained efforts to combat a major residual problem of the nuclear industry: the disposal of nuclear and radioactive wastes. We urge the Agency to continue to provide Member States assistance in the area of handling, processing and disposal of radioactive waste. It should also strengthen its radioactive waste management programme.

Nigeria shares the widespread concern over the safety of nuclear installations. Our delegation, therefore, notes with satisfaction from the report that those concerns have stimulated research on and the development and application of advanced technologies. The benefits of those efforts are already being enjoyed in a number of Member States, where a nuclear-safety culture seems to be growing. We welcome the significant progress made in the draft of a new nuclear safety convention following discussions by a working group of legal and technical experts in Vienna. Together with proposed amendments to the Vienna Convention on Civil Liability for Nuclear Damage and the Joint Protocol linking it to the Paris Convention, such a nuclear safety convention would be important for an international legal framework essential to the safety of nuclear power and its acceptance as an option for the future. We urge Member States to cooperate to resolve outstanding issues so that a diplomatic conference can be convened soon to adopt the convention.

Like other international organizations, the International Atomic Energy Agency must adapt itself to the political realities of our time. Since 1978 Nigeria has joined other countries, particularly those of Africa, the Middle East and South Asia, in pressing for the correction of the imbalance in representation of the two areas on the Board of Governors. Arguments in favour of such a step are as compelling as ever. It is our hope that Member States will engage in fruitful dialogue so that a solution based on the principles of equity and balance can be urgently reached.

In conclusion, the delegation of Nigeria considers that the Agency has in the past year performed remarkably well the functions assigned to it under the Statute. By so doing, it has won our respect and confidence. We believe the Agency will be better able to meet the challenges ahead if it continues to receive the unflinching support of all its members.

Mr. KAMAL (Pakistan): I should like to begin by conveying, on behalf of the Pakistan delegation, our sincere felicitations to Mr. Hans Blix, the Director General of the International Atomic Energy Agency (IAEA), for his comprehensive and informative statement on the activities of the Agency for 1992. Mr. Blix and his colleagues are to be commended for the dedication with which they are working to achieve the objectives and to fulfil the responsibilities of the Agency. We in Pakistan especially value our close cooperation with the IAEA and have benefited greatly from our useful consultations with Mr. Blix, whose advice and assistance have always been constructive and positive.

Before giving our views on the substantive issues, I would like to commend the Agency for the marked improvement in the presentation of the annual report for 1992. Each chapter is now preceded by a helpful overview which summarizes the main points presented in the chapter. The new format of the annual report is based on recommendations made by the Member States and is indicative of the Agency's responsiveness to the suggestions of Member States.

Pakistan greatly appreciates the valuable technical cooperation that the Agency extends to Member States in the peaceful uses of nuclear energy. Among the peaceful uses of atomic energy, the generation of nuclear power is the most significant activity. The negative consequences of generating electricity by conventional means, especially fossil fuels, are becoming increasingly apparent. More than 6 billion tonnes of carbon are dumped in the atmosphere every year, leading to possible global warming and other adverse environmental effects. With increasing industrialization, this situation will worsen.

Nuclear power is cost-effective and, if generated in accordance with international safety standards, can be an environmentally sound option. It is not surprising, therefore, that requests from developing Member States for the Agency's assistance in the field of nuclear-power generation are increasing. However, there are two major impediments to the introduction of nuclear power in the developing countries: it is capital-intensive and technologically demanding. These aspects need to be addressed by the Agency. Otherwise, the present unfortunate situation, with just 5 per cent of the world's nuclear capacity located in the developing countries, will persist. The Agency should give particular attention to the developing Member States' requests for more comprehensive assistance through an integrated package approach in nuclear-power-programme planning. Also, more detailed studies in regard to other applications of nuclear heat - for example, for chemical processes and water desalination - could be undertaken by the Agency.

The safety services provided by the Agency deserve appreciation. Pakistan has benefited from many of the safety-related services provided by the Agency, such as the missions of the International Nuclear Event Scale, the Operational Safety Review Team and the Assessment of Safety Significant Event Team. The scope of these activities should continue to be extended. In this regard, the Agency could play a more active role in promoting the sharing of experience and the transfer of safety-related information to developing countries with old reactors, as it has been doing for countries operating older reactors of Russian design. Pakistan also favours the adoption of international agreements on nuclear safety. We believe that a rational, equitable and non-discriminatory regime covering the various aspects of international cooperation in the peaceful uses of nuclear energy should be evolved.

The Agency's promotional activities relating to radioisotope applications in food and agriculture, health, industry and Earth sciences are praiseworthy. However, we are concerned at the fact that many research projects and training courses in these fields have been affected by budgetary cuts. The programmes most seriously affected by the cuts were, unfortunately, in the areas of the greatest interest to developing countries.

The budgetary problems of the Agency deserve serious attention. A shortfall in the payment of assessed contributions to the regular budget has resulted in a 13 per cent cut applied to all departments and a deferral of programmes equivalent to about $16.2 million. We would urge member States to make their payments fully in a regular and timely manner. Pakistan itself has made it a point to pay its assessed dues fully and promptly. We would also suggest that when a reduction in budgeted expenditure becomes inevitable across-the-board cuts should be avoided. Instead, there ought to be a review of the programmes, so that the more productive activities are least affected.

Pakistan has always adhered to, and will continue to lend its fullest support to, the Agency's safeguards. Pakistan remains committed to nuclear non-proliferation and to the peaceful use of nuclear energy. We have put forward a series of proposals to keep the South Asian region free from nuclear weapons. These include the simultaneous signature of the Non-Proliferation Treaty, the simultaneous acceptance of full-scope safeguards, mutual verification of nuclear facilities, a bilateral nuclear-test-ban treaty, and a bilateral declaration of adherence to non-proliferation. We hope those proposals will evoke a positive response. We are also willing to consider any other proposals that would ensure non-proliferation in South Asia on an equitable and non-discriminatory basis.

Pakistan welcomes the positive movement towards nuclear non-proliferation in Africa and Latin America. The IAEA has played an essential role in fostering the progress towards non-proliferation in those regions. We express the hope that it will soon become possible similarly to welcome progress towards non-proliferation in the Middle East, North-East Asia and South Asia.

While the Agency's regulatory functions, including its work in the area of safeguards, are of great importance, the imposition of arbitrary or ill-conceived restrictions on the transfer of nuclear technology for peaceful purposes is most disturbing, especially when it is evident that there are no proliferation dangers involved. Regrettably, even safety-related information is at times refused. Such an approach is short-sighted and self-defeating. Countries that are prevented from having legitimate access to peaceful nuclear technology are then usually compelled to develop their own methods and techniques. These could possibly be less safe and would definitely be less open. Conversely, international cooperation would result in the evolution of safer techniques and methods as well as in greater openness and transparency. The Agency has a key role to play in this area. It can facilitate the unhindered flow of peaceful nuclear technology by enhancing its promotional activities and then by maintaining a proper balance between those activities and its regulatory functions.

In conclusion, we would like to express our appreciation for the valuable technical cooperation that the Agency extends to member States. We hope that this cooperation will increase in quantity and will be further strengthened in areas that are of particular interest to developing countries, namely, energy generation, health and agriculture.

Mr. YOO (Republic of Korea): On behalf of the Government of the Republic of Korea, I would like to express our appreciation to Mr. Hans Blix, Director General of the International Atomic Energy Agency (IAEA), and his staff in the secretariat for their dedicated efforts and their achievements in the various activities of the IAEA during the past 12 months. My delegation sincerely welcomes Mr. Blix's reappointment as Director General. As he takes on the new challenges of his well-deserved fourth consecutive term, we assure him of our continued support and cooperation.

In an era of post-cold-war challenges, the reinforcement of a global non-proliferation regime continues to be an essential requirement in shaping a new world order of peace and security. Over the past year the international community has substantially increased its awareness of the vital importance of an effective global nuclear non-proliferation regime, with the Non-Proliferation Treaty (NPT) and IAEA safeguards at its core.

The recent expansion of the NPT's membership to 160 States, including all nuclear-weapon States, is a welcome development. We commend South Africa's voluntary abdication of its nuclear-weapon status, an unprecedented act which sets a strong example for other States. We also welcome the enhanced prospects in the Middle East, Africa and Latin America for the establishment of nuclear-weapon-free zones in those regions and the newly strengthened momentum in the nuclear disarmament area.

We earnestly hope that the international community can build upon these positive developments and carry out constructive discussions leading to the extension of the NPT beyond 1995.

New problems, however, have arisen which present serious challenges to the NPT regime and its safeguards system. The non-compliance of the Democratic People's Republic of Korea with its NPT safeguards obligations and its threat to withdraw from the NPT, the experience of dealing with Iraq's nuclear-weapons programmes, and the uncertainty of the presence of nuclear weapons in some States members of the Commonwealth of Independent States are cases requiring the renewed efforts of the international community toward the strengthening of the NPT regime and its safeguards system.

Given the pivotal role of the IAEA safeguards system in ensuring an effective NPT regime, my delegation would like to reiterate its full support for the safeguards activities of the Agency, particularly its efforts to strengthen the effectiveness and efficiency of the safeguards system.

In that connection, my delegation welcomes in particular the outcome of the re-examination of the Agency's safeguards implementation, through the Standing Advisory Group on Safeguards Implementation, as a significant contribution to the strengthening of the safeguards system. The various recommendations of the Group, especially those relating to alternative safeguards approaches, including new measures to enhance the Agency's ability to detect undeclared nuclear facilities and activities, can serve as a sound basis upon which the Agency can continue its work. We encourage the Agency to intensify its efforts for the early implementation of those recommendations, with special emphasis on securing greater confidence in the absence of undeclared nuclear facilities and activities.

My delegation would like to take this opportunity to reiterate my Government's commitment to the denuclearization of the Korean peninsula. We believe that it is impossible to reduce tension and build peace in this area unless complete nuclear transparency is achieved there.

In this regard, my delegation expresses its grave concern over the fact that the Democratic People's Republic of Korea, while refusing the Agency's special inspections on its undeclared sites to resolve the issue of inconsistencies, has recently gone so far as to attempt restricting even normal *ad hoc* and routine inspections on its declared nuclear facilities. Because of that refusal by the Democratic People's Republic of Korea, the continuity of safeguards and the validity of earlier inspections data are now in jeopardy, and the scope of the noncompliance of the Democratic People's Republic of Korea with its Treaty obligations is being widened.

The Democratic People's Republic of Korea, which has announced the suspension of its earlier intention to withdraw from the NPT, remains fully bound by the provisions of the Treaty and the safeguards agreement entered into with the IAEA. If we allow any party to the safeguards agreement to remain in non-compliance with its obligations and allow it to tell the inspectors what to see and what not to see or to set conditions alien to the provisions of the safeguards agreement, the credibility and validity of the entire safeguards system will not be sustained.

Given the serious implications of this matter for international peace and security, my delegation believes that the General Assembly should address the issue firmly by sending an unequivocal message to the Democratic People's Republic of Korea, urging it to cooperate with the IAEA and to implement without further delay its treaty obligations in accordance with the resolutions adopted by the Board of Governors and General Conference of the IAEA, and by the Security Council. Moreover, the Democratic People's Republic of Korea's challenge to the authority and integrity of the IAEA must be clearly rebuked by the international community with the unreserved support of the Agency. The Republic of Korea is therefore pleased to co-sponsor the draft resolution (A/48/L.13 and Corr.1) now before this Assembly.

While appreciating the IAEA's continued impartial efforts toward the resolution of the issue, I should like to take this opportunity to request all the States Members of the United Nations to render their full cooperation in persuading the Democratic People's Republic of Korea that clearing itself of all nuclear suspicions and becoming a respectable and responsible member of the international community is in its own interest as well as that of the international community.

In my Government's view, the early implementation of the South-North Joint Declaration of the Denuclearization of the Korean Peninsula is also essential for the ultimate removal of suspicions about the Democratic People's Republic of Korea's nuclear programme. A credible and effective regime of mutual inspections between the South and the North must be established as soon as possible. Once agreed upon and operational, this regime would serve to complement IAEA safeguards and contribute substantially to international non-proliferation efforts. In this regard, my Government would like to express again its earnest hope that the current South-North contacts will lead to a meaningful dialogue that will in turn produce an agreement on the establishment of an effective mutual-inspection regime at an early date.

I should now like to turn to the issue of the international management of surplus fissionable materials and the possible role of the Agency in the area of nuclear disarmament.

My Government remains deeply concerned about the surplus plutonium and highly enriched uranium that will continue to result from the dismantling of nuclear warheads and from the growing commercial reprocessing of spent nuclear fuel. We strongly support the early establishment of a regime on international storage and management of surplus fissionable materials and encourage the Agency to take a leading role in ensuring that this is done.

My delegation also notes with great interest the discussions on the possibility of extending the range of IAEA safeguards activities to assist in the activities for the verification of a complete test ban and a cut-off of production of fissionable materials for weapons purposes. We believe that in this capacity the Agency could significantly contribute to the vertical non-proliferation of nuclear weapons by drawing upon its safeguards experience. We look forward to the further exploration of this idea, with consideration of methods to meet the new requirements of adequate funding and additional workload.

The promotional activities of the Agency are also important as, under the statute, they constitute one of its main areas of activity. We continue to support the strengthening of the Agency's technical-assistance and cooperation programmes, particularly to meet the global goal of the transfer of nuclear technology for peaceful uses to developing countries. In this regard, we look forward to increased efforts to secure predictable and assured resources for these programmes.

We highly appreciate the Agency's contributions in the promotion of international cooperation in the field of nuclear safety. We especially note its efforts to improve the safety of nuclear installations in the countries of the former Soviet Union and Eastern and Central Europe, as well as its activities in drawing up safety principles for future nuclear-power plants.

We also look forward to early finalization of ongoing discussions on the draft of the international nuclear-safety convention. We earnestly hope that the convention will be adopted at a diplomatic conference early next year with the participation of the greatest possible number of countries.

With regard to the management of radioactive waste, we appreciate the establishment of the Radioactive Waste Safety Standards (RADWASS) programme, which seeks to provide member States with guidelines for the safe management of radioactive wastes. The high priority placed by my Government on nuclear-waste management is reflected in its voluntary contributions to the IAEA in support of the RADWASS programme. We hope that the ongoing work on safety fundamentals will eventually lead to a convention on the safe management of radioactive waste.

Another area of serious concern for my delegation is the disposal of radioactive waste in the sea. It is regrettable that, despite the moratorium recommended by the contracting parties to the London Dumping Convention, sea dumping of radioactive materials is still taking place. Given the importance of this matter, we call upon the IAEA and other relevant international organizations to take necessary initiatives for the environmentally sound management of radioactive wastes.

In closing, my delegation wishes to reiterate the importance my Government attaches to the IAEA and to express its firm commitment to the Agency's objectives and its support for the IAEA's essential role in the promotion of peaceful uses of nuclear energy and non-proliferation of nuclear weapons.

Mr. KHANDOGY (Ukraine): The report submitted by the International Atomic Energy Agency (IAEA) to the General Assembly at its forty-eighth session contains important information concerning that organization's multifaceted activities in 1992. In the period under review the IAEA was operating against the background of a rapidly changing world, the emergence of new members of the international community and the development of a new model of relations between States.

The role of the IAEA in the modern world and the challenges that the Agency is facing are duly reflected in the statement of the Director General, Mr. Hans Blix, before the General Assembly. I should like to take this opportunity to extend to Mr. Blix, on behalf of the Ukrainian delegation, sincere congratulations on his reappointment to that high office.

The delegation of Ukraine notes with satisfaction that the Agency continues to make considerable efforts in the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In this regard, I should like to point out that Ukraine has, de facto, embarked on the path of gaining non-nuclear status and has consistently been taking steps to attain this goal.

On 2 July 1993 the Parliament of Ukraine adopted the country's main guidelines for foreign policy. In those guidelines it was stated that Ukraine would never sanction the use of nuclear weapons from its territory, and that nuclear threat was excluded from its foreign policy. The withdrawal of tactical nuclear weapons from the territory of Ukraine has been completed, and the process of dismantling strategic nuclear weapons has begun.

However, our country cannot automatically obtain non-nuclear status. Ukraine is the owner of the components of the nuclear weapons located on its territory, including both strategic and tactical ones, even though the latter were withdrawn to Russia for dismantlement and elimination in 1992. Until the nuclear weapons have been destroyed, it will be quite difficult to define the legal status of Ukraine as a classically nuclear or non-nuclear State.

At the same time, Ukraine's right to possess nuclear weapons does not contradict its aspiration to achieve non-nuclear status in the future, as well as respective provisions of the non-proliferation Treaty. The decision about the future destiny of the strategic nuclear weapons deployed in Ukraine will be taken by its Parliament, which is now considering the issue of ratification of START and accession to the NPT. No doubt this decision will depend also on the provision, in the form of legally binding agreements, of effective security assurances for Ukraine on the part of the nuclear Powers, first and foremost the Russian Federation and the United States.

The delegation of Ukraine would like to stress that the elimination of nuclear weapons in the shortest possible time will require considerable investments and expertise. In this connection, I would like to express appreciation for the multilateral and bilateral efforts to help Ukraine in achieving this goal. At the same time, however, we have to admit that the scope of international assistance in the destruction of strategic nuclear weapons in Ukraine is still far from sufficient.

We commend the Agency's safeguard activities, which are gaining particular importance in view of the ongoing nuclear disarmament process, and we support the Agency's efforts to further implement the system of comprehensive safeguards. As was reiterated at the thirty-seventh regular session of the IAEA General Conference, Ukraine is ready to put all of its nuclear power plants and the research reactor under IAEA control. This process has already begun. Inspectors from the Agency's Department of Safeguards visited all the announced facilities, providing their valuable support for our activities in regard to the peaceful application of nuclear energy.

On 22 September 1993, the Ministry of Justice of Ukraine registered the Rules of the State System for Nuclear Material Accounting and Control. It allows us to exercise government control over the registered quantity of all nuclear materials used in the peaceful nuclear activity of Ukraine.

We are continuing to work on the development of the nuclear export-import control system. The first step in this direction is the establishment of the State Committee for export control. One of its main tasks is to monitor compliance with the norms of international law, with a view to ensuring non-proliferation of weapons of mass destruction and the means of delivery.

Another important step in this regard was the ratification by the Parliament of Ukraine of the Convention on the Physical Protection of Nuclear Material.

Nuclear energy plays an important role in our economy. Suffice it to say that the operating nuclear power stations account for more than 30 per cent of the total amount of electric power produced in Ukraine. Under the difficult economic situation of the transition period, nuclear energy becomes vital and indispensable, since Ukraine cannot afford to buy the necessary amount of oil from the traditional sources because of the skyrocketing increase in the price of that commodity. Therefore, the Parliament of Ukraine had to review its decision to shut down the Chernobyl nuclear power plant by the end of the year and to freeze the construction of new nuclear facilities. That was a very difficult and painful decision, but the only one possible under the circumstances, when the issue of adequate oil supply had not been resolved. This step was taken with due regard to the conclusions of international experts, who had established that Chernobyl-type nuclear reactors can be safely operated after some modernization. The matter of nuclear and radiation safety is therefore of primary importance for Ukraine. We appreciate and consistently support the Agency's efforts to strengthen international cooperation in this field.

We commend the progress reached in the elaboration of a nuclear safety convention and new basic safety standards, and we express our conviction that this work will be completed in 1994. Ukraine supports the elaboration of a nuclear damage liability regime and intends to become a party to this regime. We welcome the Agency's substantial advancement in the development of a programme relating to standards for the management of radioactive waste.

As a sponsor of draft resolution A/48/L.13, the delegation of Ukraine is confident that the adoption of this resolution will contribute to the promotion of IAEA activities in fields that are of great importance for the international community. Once the comprehensive global nuclear safety system is established and nuclear weapons totally destroyed, the nations of the world will be able to use this, so far the most powerful, source of energy yet developed, exclusively for their economic development and a better life for all.

Mr. CHIRILA (Romania) *(interpretation from French)*: The report of the International Atomic Energy Agency (IAEA) for 1992 and the statement made by Mr. Hans Blix on the Agency's activities in 1993 give us a reassuring image of the positive role played by the IAEA in the development of international cooperation for the peaceful uses of nuclear energy and of its contribution to the strengthening of the nuclear non-proliferation regime.

The peaceful uses of nuclear energy continue to be faced with serious challenges. The prevention of the proliferation of nuclear weapons has become more complex and the requirements of the IAEA safeguards system have increased. At the same time, a greater awareness of the present challenges in the area of nuclear safety is making itself felt in the minds of all. Recently, the IAEA has been faced with growing responsibilities, despite a number of difficulties, including budgetary constraints.

We wish to pay a tribute to the Director General of the Agency, as well as to its secretariat, for the way in which they have acquitted themselves of their duties. My delegation is happy that Mr. Hans Blix will continue in his functions as Director General of the Agency, and we welcome his re-election to this important post.

The Romanian Government is grateful to the Agency and its member States for the various forms of assistance they have provided. For our programme on the peaceful uses of nuclear energy, supported by such high-level technology as the Canadian deuterium-uranium (CANDU) reactors, perfectly transparent international cooperation is essential. An important contract signed last year with partners from Canada and Italy for one of our most

important energy goals - the Cernavoda nuclear power plant - is at an advanced stage. We give high priority to the Agency's activities in applying safeguards to the peaceful uses of nuclear power. Thus, my Government subscribes to the guidelines of the Nuclear Supplier Group and to those relating to the transfer of nuclear technologies and materials, including those with a dual use.

As a former member of the Board of Governors of the Agency, and Vice-Chairman until September this year, Romania has supported the strengthening of the safeguards system and the extension of its technical assistance and cooperation activities. We also welcome the decisions and measures adopted in this regard. In our opinion, the recent reaffirmation by the Board of Governors of the IAEA's right to conduct special inspections was particularly important. The proposal of the European Community to establish, on a voluntary basis, a register of the production and transfer of nuclear materials and equipment deserves, in this context, the full attention of member States. Furthermore, the need to strengthen the international non-proliferation regime has been amply demonstrated in the cases of Iraq and the Democratic People's Republic of Korea. In this regard it is necessary to ensure strict respect with full transparency, for commitments undertaken. The universality of the Non-Proliferation Treaty, its unconditional and indefinite extension, the strengthening of the safeguards system and respect for the bilateral inspection arrangements agreed upon between States and the IAEA, will provide the indispensable, long-term foundation for international cooperation on the peaceful uses of nuclear power.

In a world which needs energy, and which is at the same time concerned about the risks of environmental deterioration, high priority must be given to nuclear safety and radiation protection in the programmes of the Agency. The expanded nuclear safety programme, which was adopted after the Chernobyl accident, has had positive effects on the scientific and technological plans of countries, and on the credibility of nuclear energy in the eyes of the public. Drafting an international convention on nuclear safety is of particular urgency.

We continue to be seriously concerned over the inadequate status of certain old nuclear reactors situated in our region. The IAEA has made remarkable efforts to assess and to improve their safety. It is true that their complete shutdown causes energy problems for the countries using them, but an accident could have global catastrophic consequences.

The Romanian Government wishes to reaffirm its determination to complete the Cernavoda nuclear power plant while strictly complying with international safety standards. Last year my country ratified the Vienna Convention on Civil Liability for Nuclear Damage, and the Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention.

Draft resolution A/48/L.13, sponsored by a large number of countries, including my own, reflects in an adequate, responsible and balanced manner the state of affairs in the very responsible area of activity of the IAEA. Recent challenges, and especially future challenges for the Agency and its member States, are to be found in this carefully negotiated and drafted document. We hope that it will be adopted by consensus.

In conclusion, I repeat my Government's determination to give its full support to the activities of the Agency in order to ensure that nuclear energy is used only for peaceful purposes and that the nuclear non-proliferation regime functions in a manner commensurate with present and future requirements. The IAEA deserves the appreciation and support of the entire international community.

Mr. ZVANKO (Belarus) *(interpretation from Russian)*: The report of the International Atomic Energy Agency (IAEA) presented for consideration at this session of the General Assembly and the statement by the Director General of the Agency, Mr. Hans Blix, to which our delegation listened with great attention and interest, testify to the importance and the significant amount of work of the IAEA in various areas, primarily in promoting the peaceful uses of atomic energy and ensuring the effectiveness of the safeguards system. Undoubtedly in so doing the Agency is making a significant contribution to strengthening the nuclear non-proliferation regime, which means a contribution to the cause of strengthening international peace and security. Like other Member States of the United Nations, we welcome and commend the activities of the Agency in those areas and consider them to be very timely.

As has already been mentioned in interventions by the Belarusian delegation in this Hall, in February this year the Parliament of Belarus adopted the decision to adhere, as a non-nuclear State, to the Treaty on the Non-Proliferation of Nuclear Weapons. In July the Depositary Governments were given the instruments of accession of Belarus to the Treaty. Thus, in accordance with Article IX of the Treaty, Belarus is bound by its provisions, and the Director General of the Agency was informed in due course about this.

We have begun preparatory work to conclude safeguards agreements with the IAEA. This work is proceeding at a normal pace, although even at this stage it

is becoming clear that we will need assistance in the expeditious preparation and training of specialists, whose activities are directly related to carrying out the agreements. We shall also need the relevant equipment.

Having become a fully fledged Party to the Non-Proliferation Treaty, Belarus intends actively to participate in preparations for the 1995 Review Conference and with other States will work towards making the Treaty universal and with no time limit.

The Republic of Belarus also favours the beginning of multilateral negotiations to draft the relevant documents on a comprehensive nuclear test ban and on ending the production of fissile material for military purposes. Clearly, the time is ripe and it is now necessary to draft a multilateral document containing a single formula to guarantee the safety of non-nuclear States *vis-à-vis* the nuclear States.

We fully understand the Agency's efforts to ensure nuclear safety. We feel that, on the subject of promoting the development of nuclear power, the Agency should clearly point out the potential for accidents and the possible consequences, and if necessary should make provision to provide effective assistance to States that have suffered accidents. This is especially true since the resolution of the problems of the safe use of nuclear power plants, which is a responsible task, goes far beyond national boundaries, and should be under the full control of the Agency.

Our Republic, surrounded by a chain of nuclear power plants located on the territories of other States bordering Belarus, has a special stake in the completion of the new initiatives of the IAEA which are intended to ensure the safe functioning of nuclear reactors in the States of Central and Eastern Europe, and on the territory of the former USSR.

Belarus supports the activities of the Agency to complete the review of basic safety standards in radiation protection. The adoption of a new version of these standards is very timely for our Republic in the light of the corrections now being made in Belarus's governmental programme to minimize the consequences of Chernobyl.

The Chernobyl disaster has left an indelible mark on all aspects of the life of the Belarusian people. Its consequences determine to a large extent the sociological, psychological and political climate of our society. In addition, it has given rise to irreversible changes in nature. Approximately 300,000 people in Belarus have been forced to live in settlements where the equivalent of the average effective dose exceeds one milliSievert.

A number of factors related to the Chernobyl disaster - irradiation, long-term psychological and emotional stress, unhealthy diet changes, economic complications, and so on - have led to a deteriorating health situation for our nation. The most alarming aspect of this is the increase in the incidence of cancer of the thyroid gland. Over a period of seven years, more than 200 children and more than 2,000 adults had to have surgery as a result of this condition. Between 1986 and 1992 the number of cases of cancer of the thyroid gland in children increased by a factor of more than 32.

Solving the unprecedentedly complex problems caused by the Chernobyl disaster remains a central task of our Government. The Parliament and Government of the Republic are making great efforts to provide normal living conditions for people in the affected regions. National efforts to overcome the consequences of the Chernobyl disaster are undoubtedly more effective when they are supplemented with international measures.

An eloquent example of such cooperation is the joint project of the IAEA and the United Nations Food and Agriculture Organization, with the participation of Norway, to lower the level of contamination of the milk and flesh of grazing animals through the use of substances that bind radioactive caesium. Use of the methods recommended in that project has produced very positive results: the level of radioactive caesium in milk and meat has dropped by between a half and three quarters. This is especially important in that these are among the main food products in Belarus.

While we are sincerely grateful to everyone for the help that we have received, it is unfortunate that there is still a tendency for interest in the question of Chernobyl to decline, despite the demonstrated need for increased international efforts with regard to this problem. Our conviction is based on the deteriorating health of thousands of our fellow-citizens - primarily children.

It is undeniable that international aid for the people of the affected regions produces a return in the form of knowledge in areas of such colossal human interest as the internal and external effects of small doses of radiation on humans and the effects of such radiation levels on the environment. In our opinion, the IAEA has an extremely important role to play in this sphere.

I should like, in conclusion, to express the hope that the International Atomic Energy Agency will quickly adapt to the new conditions - at once more favourable and more complicated - that all international organizations face and that it will achieve success in tackling the tasks that it faces.

Mr. PAK (Democratic People's Republic of Korea): It is a unanimous aspiration of humankind to live in a world free of nuclear weapons and nuclear war. Now that the East-West confrontation of the cold-war era has ended and peoples' common aspiration to build a world free of aggression and war is growing, the elimination of nuclear weapons and the prevention of nuclear war are a pressing issue that brooks no further delay.

Reflecting this aspiration of the world's peace-loving peoples, and proceeding from its desire to see the Korean peninsula denuclearized, the Democratic People's Republic of Korea has acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and ratified the Safeguards Agreement, and is faithfully discharging its obligations in this regard.

Throughout eight rounds of ad hoc inspections, the Democratic People's Republic of Korea demonstrated complete sincerity in acceding to the requests of the International Atomic Energy Agency (IAEA). It even subjected to inspection what were referred to as "suspicious sites". However, some officials of the IAEA's secretariat, disregarding our sincerity, imposed a special inspection on the country, which they unreasonably charged with failure to comply with the Safeguards Agreement.

This unjust action on the part of the IAEA has forced us to the conclusion that, contrary to our expectation, the Non-Proliferation Treaty (NPT) is not conducive to denuclearization of the Korean peninsula but, rather, is being used as a tool by those who want to destroy our socialist system. The IAEA's action has also compelled the Democratic People's Republic of Korea, in defence of its paramount interests, to take a decisive step towards withdrawal from the Non-Proliferation Treaty.

Despite this decision, the Democratic People's Republic of Korea expressed the hope that the issue would be resolved through negotiations and dialogue, that the aspirations of the world's peace-loving peoples would thus be met. Consequently, the country's Government proposed direct talks with the United States of America with a view to resolution of the nuclear issue, which had been politicized. Two rounds of talks were held.

As a result of the publication of the Joint Statement by the Democratic People's Republic of Korea and the United States of America, it is well known that the United States gave an assurance that it would not use, or threaten to use, force - including nuclear weapons - to secure denuclearization of the Korean peninsula and that it would respect the principles of sovereignty and of non-interference in internal affairs. Thus the United States expressed its intention to discard its hostile policy against the Democratic People's Republic of Korea and to seek an impartial resolution of the issue.

At the same time, the Democratic People's Republic of Korea gave a commitment that it would unilaterally suspend implementation of its withdrawal from the NPT and would replace its graphite moderated reactors with light-water moderated reactors. Thus it demonstrated the transparency and sincerity of its denuclearization policy - renunciation of the development of nuclear weapons, about which the United States and other countries are so concerned; and the use of nuclear energy for peaceful purposes.

It was our expectation that, with honouring of the commitments that had been entered into by both sides, the prospect of a fundamental and final solution of the nuclear issue on the Korean peninsula would be opened up; the foundations for improved relations between the Democratic People's Republic of Korea and the United States of America laid; the tensions in the Peninsula eased; and epoch-making progress towards achieving peace and security in Asia and the rest of the world made.

However, during the course of the talks between the Democratic People's Republic of Korea and the United States and of the negotiations between the Democratic People's Republic of Korea and the IAEA, some countries that adhere to the old thinking of the cold-war era revived the means of applying pressure, put the "nuclear issue" on the agenda for the thirty-seventh session of the General Conference of the IAEA, and secured the adoption of a so-called resolution.

And now, they are trying to secure the adoption of a so-called resolution on the "nuclear issue" again at this meeting to consider the agenda item on the report of the IAEA. This is a political conspiracy to prevent the issue from being resolved through negotiations and to stifle the Democratic People's Republic of Korea.

The "nuclear issue" is not one to be included in a resolution of the United Nations; its inclusion is itself unreasonable. That is because the origination of the nuclear issue on the Korean peninsula and its complexity have to do with the United States.

The complicated relations between the Democratic People's Republic of Korea and the IAEA is also attributable to the partiality and "double standard" imposed by some officials of the IAEA secretariat. They turned away from our proposal to hold negotiations, but imposed "special inspections" and a label of "non-compliance" upon the Democratic People's Republic of Korea. Accordingly,

they are to be held responsible for the failure of the implementation of the Safeguards Agreement.

Nevertheless, the attempt to adopt a resolution that commends the Director General and the secretariat of the IAEA, while ignoring our sincere efforts and the circumstances that compelled the Democratic People's Republic of Korea to take a determined decision to withdraw from the non-proliferation Treaty, is an absolutely unjust act in view of the principles and purposes of the Charter of the United Nations. The delegation of the Democratic People's Republic of Korea regards such a "resolution" as an insidious political offensive aimed at international pressure and categorically rejects it.

It is being claimed that the attempt to adopt a resolution at this session, following upon the adoption of the so-called resolution at the thirty-seventh regular session of the General Conference of the IAEA, is a reflection of the "will of the international community". However, it is nothing but a pretext to cover up the political ambition of a few countries under the name of the international community.

The Democratic People's Republic of Korea will never recognize such a "demand" designed to trample upon the sovereignty of other countries and nations.

We hold that this sacred forum, where peace-loving, independent and sovereign States meet to discuss ways and means for accomplishing the noble aspirations of mankind, should never be used as a political tool for a few countries to stifle the small and weak countries. The world's people, who love justice and peace, earnestly hope that the United Nations will be a forum not to foster aggression and interference but to contribute towards the realization of their desire to build a new world, one that is peaceful and amicable.

My delegation believes that the representatives will have a correct understanding of the serious political and military character of the nuclear issue on the Korean peninsula and will cooperate towards its impartial and fundamental solution, thereby contributing to realizing the denuclearization of the Korean peninsula, removing tensions and ensuring peace and security in Asia and the rest of the world.

The lesson we have learned after all our efforts to resolve the nuclear issue on the Korean peninsula proves that talks between the Democratic People's Republic of Korea and the United States are the only way to resolve the issue, in view of its origin as well as its political and military character.

Because of their unfair acts, the IAEA secretariat and the Board of Governors are no longer qualified to deal with our "nuclear issue".

The Democratic People's Republic of Korea, as a member of international society, respects the International Atomic Energy Agency, and it is our unswerving intention faithfully to implement our country's obligations under it.

The Democratic People's Republic of Korea will continue to leave the door open for negotiations and dialogue aimed at solving fairly the nuclear issue of the Korean peninsula, and it will make a consistent effort towards that end. However, if an attempt is made to resolve the issue by resorting to any "pressure" or by the adoption of a "resolution" aimed at achieving a political purpose, the Democratic People's Republic of Korea will act according to its own faith and decision.

Now I would like to take this opportunity to reiterate our position in connection with the remarks made by a number of representatives, including Australia and Hungary, about the widening of the area of non-compliance and about compliance with the Safeguards Agreement. Because of the nuclear threat of the United States against my country and the unjustified acts of some officials of the IAEA secretariat, a so-called nuclear suspicion was created, even though the Democratic People's Republic of Korea faithfully complied with the Safeguards Agreement. The United States has responded to the talks with the Democratic People's Republic of Korea since it has recognized the partiality and limitations of the IAEA and the fact that the United States is the party directly concerned in the resolution of the nuclear issue of the Korean peninsula.

The Joint Statement of the Democratic People's Republic of Korea and the United States of America, issued on 11 June 1993, affirmed political commitments, such as respect for sovereignty, assurance against the threat or use of nuclear weapons and non-interference in internal affairs, as well as impartial application of full-scope safeguards. A temporary suspension of the effectuation of its withdrawal from the Non-Proliferation Treaty has been taken on the part of the Democratic People's Republic of Korea, in the unique situation in which the talks between the Democratic People's Republic of Korea and the United States were going on. Insistence on the implementation of the Non-Proliferation Treaty obligations under such circumstances, while the reason for withdrawal from the Treaty has not been solved, would be to force upon us the partial inspection by the Agency. It is thus clear to everyone that there is no legal ground for imposing such a demand. Those concerned should pay due attention to efforts to solve the nuclear issue by negotiation and should

refrain from acts that hinder that negotiation process, instead of imposing unjust inspection.

The Japanese representative made a provocative remark against my country, in speaking about the implementation of international obligations. But his statement is only a poor excuse to conceal his country's political ambition. The world's peace-loving people know very well that Japan is making capital out of our "nuclear issue", which is unfounded, and pursuing a policy of military power and nuclearization behind a screen. Japan is storing up large amounts of plutonium under the pretext of securing nuclear fuel, in order to cover up its real purpose. Japan should not resort to the silly play of fishing in troubled waters, using our "nuclear issue", and should not create obstacles on the way to the resolution of the nuclear issue of the Korean peninsula.

The south Korean authorities are making desperate efforts against their fellow-countrymen, showing that they have neither the will to solve the nuclear issue of the Korean peninsula nor the will to realize reunification. The real purpose of the south Korean authorities in talking about the nuclear issue is to develop and possess their nuclear weapons behind the scenes and to have an excuse for frustrating the implementation of a north-south agreement.

The Democratic People's Republic of Korea hopes that the South Korean authorities will rid themselves of their dependence on outside forces and respond positively to our proposal to exchange special envoys with a national independent position, in keeping with the requirements of the changing situation.

In conclusion, the delegation of the Democratic People's Republic of Korea would like to point out that the United States of America recognized that a fundamental response should be sought to the nuclear issue of the Korean peninsula and expressed its intention to seek a negotiated solution to the question. We regret, however, that the United States should have become a sponsor of the unjust draft resolution designed to put pressure on my country when it has made a political commitment to solve the issue through negotiations.

Mr. KUKAN (Slovakia): Allow me first, on behalf of the Government of my country, Slovakia, to give voice to our deep appreciation of the efforts of the International Atomic Energy Agency (IAEA) and its Director General and for their consideration and assistance in the search for solutions to complex tasks in the field of nuclear safety within the framework of multilateral cooperation.

In addition, allow me to express our appreciation for the concern demonstrated by the International Atomic Energy Agency, which has contributed significantly to our efforts towards the peaceful use of atomic energy having been acknowledged in all seriousness by both the world's nuclear and non-nuclear States.

Last year was one of great activity for the IAEA in the pursuit of one of its most important objectives, namely, the consequent enforcement of safety measures and strict control over potential violators of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

We welcomed the third meeting of the Group of Experts preparing the nuclear safety agreement, which was held at Vienna in late January 1993, and the subsequent meeting of the Nuclear Suppliers Group at Lucerne in late March, which afforded opportunities for an exchange of notes with other members of the Group on the elaboration of guidelines to prevent the proliferation of nuclear materials and dual-use items. The subsequent acceptance of the Slovak Republic as a member of the Group and its membership in the Zangger Committee are further steps in our support of nuclear safety.

In an era in which several States are striving to acquire nuclear arms and the materials for their production, thereby increasing the risk of creating a multitude of nuclear stockpiles, it is significant that the Slovak Republic has joined activities designed to counter such strivings. Our efforts aimed at more rigorous control over nuclear safety, at banning nuclear-weapon testing and at global coordination of cooperation to prevent irresponsible Powers from acquiring nuclear materials and arms have been met with full understanding and support at the highest levels of the International Atomic Energy Agency.

I should like to urge all countries not yet signatories of the nuclear non-proliferation Treaty, as well as those wishing to resign from membership or even calling for the Treaty's cancellation, to reconsider their positions.

The process of dissolution of the former Czech and Slovak Federal Republic and the resultant founding of two independent successor States, the Slovak Republic and the Czech Republic, and the concomitant extinction of the original Czechoslovak Atomic Energy Committee, created the urgent need to establish independent State administrative bodies to ensure supervision of nuclear safety in both new countries in order to forestall the risk of losing control over the operation of nuclear-power establishments in the new States and their adherence to safety principles.

That process has been completed in the Slovak Republic to the full satisfaction of international organizations and of the Slovak Government. By the end of last year the National Council of the Slovak Republic had enacted a law establishing the independent and professionally competent Office of Nuclear Supervision, thus providing for the necessary continuity in supervision of nuclear safety without interrupting contacts with the IAEA. The setting up of the current structure of the Office and the delimitation of its responsibilities have been accomplished satisfactorily and meet the present requirements of both the United Nations and the Slovak Republic from the international relations viewpoint.

We are determined fully to implement the measures required to ensure a stricter control over exports of nuclear materials and equipment, including dual-use items. We support the proposals to establish a global information system to report movements of nuclear materials and equipment. We highly value the efforts of the Director General of the IAEA and his team of inspectors assigned to inspect the Iraqi and North Korean nuclear establishments, as well as the actions that have resulted in the decisions of Argentina and the Republic of South Africa to join the Nuclear Suppliers Group and to adhere to the guidelines on the prohibition of exports of nuclear materials and dual-use items.

We attribute no less importance to the issue of technical assistance and cooperation with the IAEA. We therefore regard the IAEA's interest in implementing a model project of nuclear-safety inspection in Slovakia, reinforcing and developing the abilities of the State supervisory authority with regard to nuclear safety, as a signal honour for our country.

Allow me to conclude my statement by expressing my country's satisfaction at the International Atomic Energy Agency's report on its activities and our appreciation of the work of the Agency's Director General, Mr. Hans Blix. We congratulate him on his reappointment to his high office, and we wish him and his colleagues all success in their continuing efforts and much energy and vigour in tackling further demanding tasks in the future.

Mr. RIVERO ROSARIO (Cuba) *(interpretation from Spanish)*: Nuclear energy has proven to be an important factor in the solution of many of the global problems of our planet. I wish therefore to take this opportunity, on behalf of my country, to reiterate our support for the work of the International Atomic Energy Agency (IAEA) and its contribution to the peace, health and prosperity of the entire world.

Mr. Nyakyi (United Republic of Tanzania), Vice-President, took the Chair.

We believe that, in the present international environment, this is the appropriate forum in which to promote the broadest possible cooperation in this field and thus contribute to eliminating the growing inequality in the levels of development of different countries and geographical regions. My delegation also wishes to congratulate Mr. Hans Blix on his re-election as Director-General of the IAEA and recognizes the positive contribution he has made during his years in that post. We hope that he will continue to chart a good course for the Agency, to the benefit of the peaceful uses of atomic energy for all mankind.

It is necessary to recognize the important contribution that IAEA technical assistance and cooperation represent to the developing countries. For Cuba in particular, in 1992 that cooperation meant the conclusion of important projects related to the application of nuclear technology to public health and radiological environmental monitoring. A striking example of the importance of such activities for Cuba is the rapid and timely assistance given by the IAEA, upon our request, in support of our struggle against the neuritis epidemic that has been affecting our population for some months.

Among other issues to which the Agency devotes its attention, the convention on the safety of nuclear installations deserves special mention. My country feels that this convention, as its name indicates, will raise the level of nuclear safety at a global level and should cover all nuclear installations. We also believe that, in this framework, international cooperation and exchanges of technology should be promoted. At the same time, we are of the opinion that the convention should in no event limit the access of developing countries to technologies related to nuclear power and other peaceful applications of the atom, since it is precisely those countries that most need these technologies to resolve their serious socio-economic problems.

My country also supports the work of the IAEA aimed at strengthening the efficiency and effectiveness of the safeguards regime. These should contribute to establishing a transparent atmosphere of international trust and should not be conceived as safeguarding the prerogatives of the nuclear-weapon States. Measures adopted towards that end should be universal and non-discriminatory; there should also be an appropriate legal basis and a study of the technical, financial and political implications. In that context, we support the suggestion for the establishment of a safeguards committee open to the participation of all

countries and similar to that established in the early 1970s on the non-proliferation Treaty.

Lastly, Cuba encourages the Agency to continue to work to achieve optimal nuclear-safety levels and radiological protection on a global scale and to assist all those countries that require nuclear energy in its many applications for their development. The Agency should direct its main efforts in the coming months to the attainment of these goals.

My country has followed attentively the course of events related to the implementation of the safeguards agreement signed between the Democratic People's Republic of Korea and the Agency. We are convinced that the way to resolve this dispute is to pursue negotiations between the parties involved. It is therefore vital to avoid any action that could lead to stagnation in the negotiation process and thus exacerbate the already tense and dangerous situation in the region. We wish to reiterate here the position of principle that Cuba has consistently maintained regarding unconditional respect for the sovereignty of States and compliance with international agreements voluntarily undertaken, which are of a binding nature for all contracting parties.

Finally, my delegation would like to express its appreciation for the efforts made by the Agency, the Democratic People's Republic of Korea and other countries in the search for a just and negotiated settlement of this dispute. At the same time, we express our hope that the needed steps will continue to be taken so that this important matter can be resolved successfully.

The PRESIDENT: I should like to announce that the following States have become sponsors of draft resolution A/48/L.13 and Add.1: Armenia, Dominica, Ethiopia, Latvia and Lithuania.

We shall now proceed to consider draft resolution A/48/L.13 and Corr.1.

I now call on the representative of the Democratic People's Republic of Korea for an explanation of vote before the voting. May I remind him that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. PAK (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea considers that there is no justification whatsoever for the inclusion of serious political elements, which have no legal basis, in draft resolution A/48/L.13 and Corr.1, submitted with regard to the report of the International Atomic Energy Agency (IAEA), which specializes in science and technology. The fact that the Board of Governors of the IAEA, meeting on 20 September, failed to reach a consensus on the draft resolution to be submitted to the United Nations General Assembly concerning the nuclear issue of the Korean peninsula, clearly shows this to be true.

If the General Assembly adopts the draft resolution, in spite of the facts, it would be tantamount to giving tacit approval to the politicization of the specialized agencies of the United Nations, allowing them to be manipulated in contravention of their original purposes and thus encroaching upon the sovereignty of Member States. The inclusion of the so-called nuclear issue in the draft resolution submitted by the delegation of Australia is a reflection of its political aim to block the resolution of the nuclear issue through dialogue and to put pressure on my country.

The President returned to the Chair.

The attempt by the IAEA and some of its officials to adopt a resolution encroaching upon the sovereignty of a member State by abusing the name of the United Nations is a challenge to the negotiation process going on with a view to solving the issue.

Some officials of the IAEA secretariat forced the meeting of the Board of Governors and the General Conference of the IAEA to adopt the unjustified resolution, while closing their eyes to the proposals for negotiations put forward by the Government of the Democratic People's Republic of Korea.

In this connection, the Democratic People's Republic of Korea has already categorically rejected the unjust resolution adopted at the thirty-seventh regular session of the General Conference of the IAEA. Accordingly, the delegation of the Democratic People's Republic of Korea cannot accept the ninth and tenth preambular paragraphs of draft resolution A/48/L.13 and Corr.1. The ninth preambular paragraph and operative paragraph 7, which claim that the Democratic People's Republic of Korea

> "has failed to discharge its safeguards obligations and has ... widened the area of non-compliance"

and refers to "implementation of the safeguards agreement", have no legal grounds.

The joint statement of 11 June 1993 of the Democratic People's Republic of Korea and the United States of America made a clear reference to the issue of impartial application of the safeguards agreement.

It is clear to everyone that temporary suspension of the implementation of our announced withdrawal from the Non-Proliferation Treaty was not intended as acceptance of a partial inspection by the IAEA. In so unique a situation, the demand by the Agency to implement safeguards obligations is equivalent to the Agency's enforcing a partial inspection on my country, and my delegation maintains that there are no legal grounds for the Agency to enforce an unjust inspection on my country.

My delegation believes that pressure is not a way of solving the nuclear issue of the Korean peninsula. Encroaching upon the sovereignty of a party to the dialogue, and putting pressure on it, going against the trend of the current era to resolve all problems through dialogue and negotiations, can be interpreted only as a lack of will to resolve the issue.

Adoption of a draft resolution aimed at interference in and pressure on the Democratic People's Republic of Korea is not in line with the principles of the Charter of the United Nations or with international law and practice. The only answer for the just resolution of an issue is through dialogue and negotiations.

The Democratic People's Republic of Korea will continue to do its best to solve the nuclear issue of the Korean peninsula through negotiations. For this reason, the delegation of the Democratic People's Republic of Korea wishes to reiterate its total rejection of the ninth preambular paragraph and operative paragraph 7 of draft resolution A/46/L.13 and Corr.1.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.13 and Corr.1.

Separate votes have been requested on the eighth and ninth preambular paragraphs and on operative paragraphs 7 and 8 of the draft resolution.

As there is no objection to these requests, I shall put these paragraphs to the vote first.

I shall now put to the vote the eighth preambular paragraph of draft resolution A/48/L.13 and Corr.1.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Sweden, The Former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Zaire

Against: Iraq, Sudan

Abstentions: Algeria, Angola, Belarus, Cambodia, Chad, Cuba, Ghana, Indonesia, Kyrgyzstan, Lesotho, Malaysia, Mali, Namibia, Philippines, Swaziland, Thailand, Togo, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

The eighth preambular paragraph was retained by 105 votes to 2, with 22 abstentions.

The PRESIDENT: I now put to the vote the ninth preambular paragraph of draft resolution A/48/L.13 and Corr.1.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia,

Spain, Sri Lanka, Sudan, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Zaire

Against: Democratic People's Republic of Korea

Abstaining: Angola, Belarus, Cambodia, Chad, China, Colombia, Cuba, Ghana, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mali, Namibia, Pakistan, Philippines, Rwanda, Swaziland, Thailand, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

The ninth preambular paragraph was retained by 104 votes to 1, with 30 abstentions.

The PRESIDENT: A separate, recorded vote has been requested on operative paragraph 7.

A recorded vote was taken.

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Zaire

Against: Democratic People's Republic of Korea

Abstaining: Angola, Belarus, Cambodia, Chad, China, Cuba, Ghana, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mali, Namibia, Philippines, Rwanda, Swaziland, Thailand, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Operative paragraph 7 was retained by 106 votes to 1, with 28 abstentions.

The PRESIDENT: A separate, recorded vote has been requested on operative paragraph 8.

A recorded vote was taken.

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela, Zaire

Against: Iraq

Abstaining: Angola, Chad, Cuba, Ghana, Guinea, Indonesia, Kyrgyzstan, Malaysia, Mali, Namibia, Philippines, Swaziland, Thailand, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Operative paragraph 8 was retained by 111 votes to 1, with 18 abstentions.

The PRESIDENT: I now put to the vote draft resolution A/48/L.13 and Corr.1, as a whole.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Yemen, Zaire, Zambia, Zimbabwe

Against: Democratic People's Republic of Korea

Abstaining: Angola, China, Cuba, Ghana, Guinea, Iraq, Mali, Senegal, Viet Nam

Draft resolution A/48/L.13 and Corr.1, as a whole, was adopted by 140 votes to 1, with 9 abstentions (resolution 48/14).

The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. ALLAREY (Philippines): My delegation wishes to explain its vote on draft resolution A/48/L.13 and Corr.1.

The Philippines supports the programme of the International Atomic Energy Agency (IAEA) for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. Hence, it not only voted in favour of IAEA resolution GC (XXXVII/RES/624) of 1 October 1993, but was a co-sponsor of that resolution.

The Philippines was prepared to be a co-sponsor of draft resolution A/48/L.13 and Corr.1 had suggestions from some delegations, including my own, been incorporated in the draft resolution to reflect greater consensus. Moreover, the draft resolution contains other elements not embodied in previous resolutions on the matter.

The Philippines none the less voted in favour of the draft resolution.

Mr. GONZALEZ BUSTOS (Mexico) *(interpretation from Spanish)*: The delegation of Mexico voted in favour of draft resolution A/48/L.13 and Corr.1 because we consider it of the utmost importance to support the work being done by the International Atomic Energy Agency (IAEA). We reaffirm our trust in that Agency's role in the promotion of the use of nuclear energy for peaceful purposes.

As we all know, the General Assembly for many years adopted the resolutions on the reports on the IAEA's work without a vote. My Government considers that the annual report submitted by the IAEA to the General Assembly should be confined, as had been the case until recently, to technical and procedural matters. The inclusion of political questions results, among other serious consequences, in the loss of consensus and a growing politicization of the subject, which benefits no one.

We also believe that the resolution should not single out certain activities of the Agency, however important they may be, to the detriment of others. This type of selectivity alters the balance that should exist in the work of the Agency, and it acts to the detriment of the importance attached by the majority of Member States to activities aimed at promoting international cooperation in this field.

In that connection, Mexico reaffirms the need to maintain balance between IAEA activities, in particular with respect to the application of safeguards, nuclear safety and the use of nuclear energy for peaceful purposes.

I would note that on many occasions the Mexican Government has reiterated the importance of strengthening the Agency's safeguards regime within a legal framework respecting the sovereignty of States. That is why we have

proposed the establishment of an open-ended IAEA safeguards committee to enable Agency members to engage in ongoing in-depth study of the subject with a view to developing a universal, effective safeguards regime. The committee would need a well-defined mandate and a deadline for achieving its objectives.

Mr. WU Chengjiang (China) *(interpretation from Chinese):* The Chinese delegation abstained in the vote on draft resolution A/48/L.13 and Corr.1, entitled "Report of the International Atomic Energy Agency", and I wish to explain that abstention.

First of all, let me say that our abstention implies no change in China's view of the Agency. In its statement this morning, the Chinese delegation made a comprehensive positive appraisal of the Agency's work over the past year.

Secondly, the Chinese delegation maintains its own views on certain resolutions of the IAEA Board of Governors and its General Conference to which the draft resolution referred. In particular we have reservations concerning resolution GC(XXXVII)/RES/624 of 1 October 1993.

Thirdly, the Chinese delegation considers that the Assembly's resolution on the report of the IAEA should not include specific issues relating to the work of the Agency, especially contentious issues such as the nuclear situation in Korea. That can only complicate the problems in question and is not conducive to a solution. In a constructive spirit, the Chinese delegation proposed a number of amendments to the draft resolution; unfortunately the sponsors of the text did not accept our well-intentioned suggestions.

Fourthly, the Chinese delegation wants to reiterate China's principled position on the nuclear issue in Korea. We support the denuclearization of the Korean peninsula, and do not favour the presence of any nuclear weapons in that peninsula. Now that the issue has developed into one involving the Democratic People's Republic of Korea, the United States, the Republic of Korea and the IAEA, a fair, rational and comprehensive solution should be found through consultation and negotiation between those four parties, on the basis of equality and mutual respect. We welcome the holding of talks between the Democratic People's Republic of Korea and the United States, and hope they will lead to a solution. We believe that practices such as setting unreasonable preconditions, exerting pressure, issuing ultimatums and poisoning the atmosphere are not to be commended.

Mr. RIVERO ROSARIO (Cuba) *(interpretation from Spanish):* My delegation wishes to explain its position on draft resolution A/48/L.13 and Corr.1, just adopted under agenda item 14, "Report of the International Atomic Energy Agency". As we pointed out during the debate on this item, the Cuban delegation attaches much importance, generally speaking, to the Agency's work, which is, of course of great importance to developing countries.

Because we are drawing up a balance sheet of the Agency's activities over the past year, my delegation would have liked the draft resolution to be confined, as it was until two or three years ago, to a general assessment of the Agency's work and hence to be adopted without the need for a vote. But to our regret this item has taken on a political cast; in my delegation's view, this does not contribute to the attainment of the goal the Assembly should be pursuing with respect to this item.

The draft resolution just adopted refers specifically to Security Council resolutions, for example resolution 687 (1991), which my delegation was unable to support for reasons it explained at the time; that resolution refers to IAEA activities carried out in extraordinary, *sui generis* circumstances. In our view, these references prejudge and create an imbalance in our assessment of the Agency's important work in the discharge of its responsibilities.

Moreover, the Cuban delegation has reservations about preambular and operative paragraphs that make a judgement about the activities of a State Member of the United Nations, the Democratic People's Republic of Korea, and about its relationship with the IAEA. We think those matters should be considered solely by the competent IAEA bodies, not by the General Assembly, where we feel such consideration is out of place. In our view, this also contributes to creating further tension in the political climate in connection with this matter; hence we were unable to support the paragraphs in question.

As we have already said, my delegation is convinced that the way to resolve this dispute is by continuing the negotiations between all the parties involved in this matter and that it is essential to avoid any action that could cause a deadlock in the negotiating process and exacerbate the already tense and dangerous situation in the region.

It was for those reasons that my delegation was obliged to abstain in the vote on the draft resolution as a whole.

Mr. MORADI (Islamic Republic of Iran): My delegation abstained in the separate votes on the ninth preambular paragraph and on operative paragraph 7 of draft resolution A/48/L.13 and Corr.1, which refer to compliance by the Democratic People's Republic of Korea with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency safeguards, because we found those two paragraphs unbalanced.

We believe that the sponsors of the text could have drafted those paragraphs in more positive language.

The PRESIDENT: We have heard the last speaker in explanation of vote.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 14?

It was so decided.

AGENDA ITEM 47 *(continued)*

COMMEMORATION OF THE FIFTIETH ANNIVERSARY OF THE UNITED NATIONS IN 1995

COMMEMORATION OF THE FIFTIETH ANNIVERSARY OF THE DECLARATION OF THE FOUR NATIONS ON GENERAL SECURITY OF 30 OCTOBER 1943

The PRESIDENT: This evening, in accordance with resolution 48/6 of 19 October 1993, the General Assembly is commemorating the fiftieth anniversary of the Declaration of the Four Nations on General Security of 30 October 1943.

It will be recalled that on 30 October 1943 the Foreign Ministers of the United States, the United Kingdom and the Union of Soviet Socialist Republics and the Chinese Ambassador to Moscow issued the Declaration of the Four Nations on General Security, which recognized the necessity of establishing at the earliest practicable date a general international organization, based upon the principle of the sovereign equality of all peace-loving States and open to membership by such States, large and small, for the maintenance of international peace and security.

Mr. VORONTSOV (Russian Federation) *(interpretation from Russian):* It gives me great pleasure to address the General Assembly on this important occasion, the fiftieth anniversary of the Moscow Conference of 1943. It was precisely half a century ago that the representatives of the Governments of the Soviet Union, the United States, Great Britain and China adopted the Declaration of the Four Nations on General Security, in which, for the first time, the need was recognized for

> "the establishment at the earliest practicable date of a general international organization, based on the principle of the sovereign equality of all peace-loving States and open to membership by all such States, large or small, for the maintenance of international peace and security".

It strikes me as profoundly symbolic that this first guidepost pointing the way to the establishment of the United Nations, one of whose main obligations is the maintenance of international peace and security, provided that historic path at the moment when the fronts of the Second World War were suffering their worst ravages. However, at that time, the leaders of the States that were present at the conception of the United Nations were already showing the way for the peoples of the world to ensure for themselves a safer and brighter future.

Two years after the Moscow Conference, such a world Organization, the United Nations, was established, and it seems to me quite natural for today's special meeting to anticipate the celebration of the United Nations own important anniversary in 1995.

The anniversary of the Moscow Conference is a symbolic one, owing to its humanistic dimension. The idea of international cooperation, brought to life at the height of the bloodiest war in the history of mankind, was given shape. People from all continents are drawn to this idea, and it is a source of inspiration for sculptors and poets, composers and scientists. The idea of humanism has become central in the activity of the United Nations.

The Organization, which before had been held back by the constraints of the cold war that divided the world into two antagonistic camps, is now undergoing a revival. Only at the beginning of the 1990s, as a result of the triumph of democracy in Russia and the countries of Eastern Europe, did prospects open up for movement towards the world system that the founding fathers of the United Nations tried to create. However, new difficulties have been encountered along the way. We are witnessing a wave of aggressive nationalism and chauvinism and a struggle to revise borders, which could bring about new conflicts.

Today, as never before, the peoples of the world have placed their most earnest hopes in the peace-keeping activities of the United Nations. The success attained in this area - Namibia, Cambodia, and the settlement reached in Central America - is indisputable. At the same time,

though, the limitations of these traditional approaches to settling conflicts are becoming more apparent. In the new conditions, it is most important to provide for operations to have clear political goals, strict control, efficient command and measures to protect civilians and United Nations personnel during conflicts. The possibility of a more active interaction of the United Nations with regional organizations deserves particular attention.

Russia and other countries of the Commonwealth of Independent States are counting on concrete support for their efforts to overcome crises throughout the territory of the former Soviet Union. We and our neighbours, the Independent States, are addressing and will continue to address the United Nations with proposals for closer cooperation. We are convinced that there is no alternative to such cooperation.

Today we face the task of adapting the United Nations to the world's changing political landscape. Any measures taken should ensure increased practical results on the part of the United Nations in the fields of peace-keeping, protection of human rights, strengthening democratic institutions, promotion of sustainable development and provision of humanitarian assistance.

The Moscow Declaration of 1943 solemnly proclaimed the need for joint action for the maintenance of peace and security. At the end of the twentieth century, the evolution of world events offers us a new, universal partnership based on a renewed United Nations. In attaining consensus on cardinal international issues, the members of the international community are called upon to make full use of the enormous potential of the United Nations.

The fiftieth anniversary of the United Nations should be a resounding confirmation of the importance of our Organization's role in the life of the international community and should convincingly confirm the commitment of the States Members of the United Nations to the full realization of the purposes and principles enshrined in the United Nations Charter half a century ago.

We are prepared for comprehensive cooperation with other United Nations Members and all those that share the ideals of the Organization in attaining these noble and lofty goals.

Mrs. ALBRIGHT (United States of America): As we begin our preparations for the upcoming celebration of the fiftieth anniversary of the United Nations in 1995, we gather today in this Hall - two years in advance of that celebration - to commemorate an important event in the conception of our Organization.

Fifty years ago this week the Governments of four wartime allies - the United States, the Union of Soviet Socialist Republics, the United Kingdom and China - met in Moscow. At that meeting, those four Governments recognized the necessity for all peace-loving nations to enter into close collaboration with one another following the end of the Second World War. It was foreseen that only through this sort of close collaboration could peace be maintained and the political, economic and social welfare of the world's peoples be fully promoted.

As a result of this 1943 Moscow Conference, the Declaration of the Four Nations on General Security was signed on October 30 of that year. The Declaration set forth the initial principles on which a broad system of international cooperation might be based. It advocated

> "establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security."

The four allies then pledged themselves to consult with each other and with other States to that end. This pledge led to the 1944 meeting at Dumbarton Oaks in Washington, where a broader number of States began work on the United Nations Charter, and the meeting the next year in San Francisco, where our Organization was formally established.

As we move through the preparatory phase of the celebration and commemoration of the fiftieth anniversary of the United Nations, we should also remember the events leading up to its birth. Let us therefore all depart from today's commemoration with renewed resolve in our individual and collective efforts to celebrate and publicize the fiftieth anniversary of the United Nations. At the same time, let us honour the memory of leaders in Moscow, at Dumbarton Oaks and in San Francisco by examining ways to strengthen and invigorate the Organization established in the interests of collective security and world peace.

Sir David HANNAY (United Kingdom): In 1943, at the height of the Second World War, the leaders of the wartime alliance were turning their thoughts to peace. Their aim was to lay the foundations for an international organization which would be more effective than the League of Nations and which would be the guardian of international peace and security. Above all, it was to ensure that the nightmare of world war would never be repeated.

The Moscow Conference in October 1943 saw the expression of these ideas. In the Declaration of the Four Nations on General Security, the Conference recognized the need to establish

> "a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security."

The Declaration was thus the beginning of the road which led to the establishment of the United Nations. It laid down a framework and some fundamental principles for the Organization which was to result. The birth took place almost exactly two years later in San Francisco. Fifty years on we pay tribute to the foresight and idealism which were reflected in that Declaration in Moscow.

The subsequent history of the United Nations has of course not always been smooth. For much of the past 50 years the work of the Organization was hindered by the cold war. Only now is the United Nations able to operate in the field of the maintenance of international peace and security as the founding fathers intended, with the Security Council playing its role of leading the search for solutions to conflicts around the world.

The United Kingdom remains committed to the principles established at the Moscow Conference and later at the signing of the United Nations Charter in San Francisco, with the aim of maintaining international peace and security through the United Nations. We are an active participant in peace-keeping operations, with nearly 3,000 troops serving under the United Nations flag at present. We are a major and prompt contributor to the United Nations budgets, and we seek to use our diplomatic resources in support of the efforts of the United Nations to restore peace to troubled areas of the world.

The United Kingdom is also committed, as we were in 1943, to ensuring that the architecture of international organizations fits the tasks with which they are charged. The United Nations must of course adapt over time to changes in the international situation. The increase in United Nations peace-keeping activities, for example, requires a corresponding adjustment in the structures which manage those operations. The United Kingdom has submitted ideas on this subject to the Secretary-General. We have also submitted our views on the composition of the Security Council, which the Assembly will shortly be discussing.

This debate, too, is timely. As my Secretary of State said in the general debate on 29 September this year, we have no doubt that if there were to be consensus on enlargement of the Security Council, there are countries which by virtue of their global interests and contribution to international peace and security could undertake the full range of responsibilities of a permanent member and should certainly be expected to do so, alongside the current permanent members - the four signatories of the Moscow Declaration and France.

In some areas the United Nations has successfully worked itself out of a job. The forthcoming referendum on Palau may remove the last territory from the administration of the Trusteeship Council. Some of the annual resolutions at the General Assembly will this year need to be adjusted to reflect the momentous changes in South Africa and the Middle East. We must be ready to adjust the United Nations when it has fulfilled its original function.

Fifty years on from the Moscow Conference the United Nations has come a very long way. The membership has risen from the original 51 to 184. Seventeen new peace-keeping operations have been mandated in the last five years. The United Nations leads the way in fields as diverse as humanitarian assistance, sustainable development and helping to establish democracy through support for elections. The United Kingdom is both proud and privileged to have been among the nations represented in Moscow in 1943. In 1993 we continue to work for the success and effectiveness of an Organization which has grown to maturity over the last 50 years. It gives us great pleasure to participate in this debate, and we look forward to joining in the celebrations which will attend the fiftieth anniversary of the establishment of our Organization in two years' time.

Mr. LI Zhaoxing (China) *(interpretation from Chinese)*: It is of singular importance that we are gathered here today to commemorate the fiftieth anniversary of the Declaration of the Four Nations on General Security. That Declaration played a positive role in bringing about the United Nations, and its elements relating to the establishment and maintenance of international peace and security remain relevant even today.

The world has undergone tremendous changes since the inception of the United Nations. In recent years the world has moved into a period of transition towards multipolarity in the wake of the collapse of the bipolar structure. Indeed, there is now a better prospect of avoiding a new world war and ensuring lasting peace. But, at the same time, conflicts in the world are also on the rise, various contradictions are becoming more complicated, and the world situation remains turbulent. Peace and development, so ardently desired by the world's people, still face grave challenges.

Under these new circumstances, with higher expectations on the part of the world's people, the role of the United Nations in the maintenance of world peace and the promotion of development is becoming increasingly important. The question of how the United Nations might better adapt to the changes in the world situation and play a more active role in world affairs has become an issue of universal concern. We hope the commemoration of the fiftieth anniversary of the Declaration of the Four Nations on General Security will help us explore the role of the United Nations and the arduous tasks confronting it, so as further to promote, strengthen and improve its work and enable it to handle major world affairs and defend and realize the purposes and principles of the Charter in a more active, balanced, just and effective manner in the new situation, thus contributing to the cause of maintaining world peace and development and to the endeavour for a better world for all mankind.

The PRESIDENT: We have thus concluded the commemoration of the fiftieth anniversary of the Declaration of the Four Nations on General Security of 30 October 1943.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 47?

It was so decided.

The meeting rose at 6.35 p.m.

United Nations
GENERAL ASSEMBLY
FORTY-EIGHTH SESSION

Official Records

47th PLENARY MEETING

Tuesday, 2 November 1993
at 10 a.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 10.20 p.m.

AGENDA ITEM 8 *(continued)*

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK: SIXTH REPORT OF THE GENERAL COMMITTEE (A/48/250/Add.5)

The PRESIDENT: The sixth report (A/48/250/Add.5) of the General Committee concerns a request by Burundi for the inclusion in the agenda of the current session of an additional item entitled "The situation in Burundi".

The General Committee decided to recommend to the General Assembly that the item should be included in the agenda.

May I take it that the General Assembly decides to include in its agenda this additional item?

It was so decided.

The PRESIDENT: The General Committee further decided to recommend to the Assembly that the item should be considered directly in plenary meeting.

May I take it that the Assembly adopts this recommendation?

It was so decided.

The PRESIDENT: May I also take it that, as requested by several Member States, the item should be given priority for immediate consideration by the Assembly because of its urgent character?

It was so decided.

The PRESIDENT: The Assembly will thus consider the item on the situation in Burundi as the last item of this morning's meeting.

I should like to inform members that this new item becomes item 170 of the agenda of the forty-eighth session of the General Assembly and that the documents reflecting its inclusion and allocation will be issued tomorrow.

The list of speakers for agenda item 170 is now open.

I should also like to inform members that a draft resolution on the situation in Burundi will shortly be available in the General Assembly Hall as document A/48/L.16.

AGENDA ITEM 21

RETURN OR RESTITUTION OF CULTURAL PROPERTY TO THE COUNTRIES OF ORIGIN

(a) REPORT OF THE SECRETARY-GENERAL (A/48/466)

(b) DRAFT RESOLUTION (A/48/L.15)

The PRESIDENT: I call on the representative of Zaire to introduce draft resolution A/48/L.15.

This record is subject to correction.
Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Verbatim Reporting Section, Room C-178, and incorporated in a copy of the record.

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93-87056 (E)

Distr. GENERAL

A/48/PV.47
23 November 1993

ENGLISH

Mr. JUMA (Zaire) *(interpretation from French)*: Since this is the first time my delegation has spoken in the Assembly at this session, we wish at the outset to congratulate you, Sir, on your outstanding election to the presidency of the General Assembly. Our congratulations also go to the other members of the Bureau.

The main thrust of my statement is the introduction of draft resolution A/48/L.15 on agenda item 21, entitled "Return or restitution of cultural property to the countries of origin". In this connection, my delegation first wishes to congratulate the Secretary-General on his instructive, concise and complete report (A/48/466), which we have just read with great attention. As was done in earlier years, a certain number of States have sponsored this draft resolution which, at the initiative of my country, Zaire, is regularly submitted to Member States for their consideration.

There is no need to prove that work on the item under consideration has made tangible progress on all continents and has prompted States to cooperate to a greater degree towards the progressive implementation of the relevant resolutions. The cultural and moral nature of the restitution of cultural property arises from a moral principle capable of strengthening harmony and international cooperation. It endows the matter with an enduring political, economic and cultural dimension.

Every nation is attached to its artistic values, its culture and its creative drive and to everything that contributes to the flowering of its environment. The African States in particular have often reaffirmed the importance of the contribution of culture to the definition of societies within which peoples throughout the world wish to live in harmony. This reaffirmation is manifest in the Cultural Charter of Africa.

Mindful of the fact that, during the colonial era and in the course of the many wars fought between various nations, the States of the third world endured not only domination but also and particularly the systematic pillaging of their artistic works, it is only right that the restitution of this cultural property should become a part of the historic liberation process - not only political and economic liberation, but cultural as well. This is the reasoning behind the work undertaken by my country, Zaire, since 1973. It also led the United Nations Educational, Scientific and Cultural Organization to launch an enormous operation aimed at encouraging countries which, one way or another, had appropriated the artwork or cultural property of other countries to return them.

My delegation welcomes the positive and tangible results secured by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or Its Restitution in Case of Illicit Appropriation. The list of property restored over the past years is undeniable proof of the importance of draft resolution A/48/L.15; hence my delegation is once again submitting a draft resolution on this subject to the General Assembly for adoption.

Mr. SHAMBOS (Cyprus): An item on the return or restitution of cultural property to the countries of origin was first considered by the General Assembly in 1972, but the theft and removal of objects of cultural and archaeological significance have a much longer history. And they go on and on unabated.

Even more disturbing is the fact that, on certain occasions, desecration and pillage are the order of the day through conscious attempts to extinguish the cultural heritage of territories forcibly stripped of their lawful inhabitants or to distort the spirit identifying the source of cultural creativity of nations in their evolution through history. Thousands of cultural treasures end up in foreign museums and private collections. Others are destroyed in the process of smuggling, or in the hands of ignorant or unscrupulous individuals. With the loss of these archaeological objects, a part of history is also for ever lost to the nation or country of origin, and to the world in general.

As in the case of other countries, this constant haemorrhage of our cultural heritage is the main reason why my Government has supported, from the very first, the inclusion of this item in the agenda. We particularly appreciate the constant efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and its specialized committee, the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin and Its Restitution in Case of Illicit Appropriation, for enhancing world awareness and assisting countries to reclaim their cultural property.

I should also like to express our sincere appreciation to the Director-General of UNESCO for the progress report reproduced in document A/48/466, and to commend him on his continued efforts to promote the return or restitution of cultural property to the countries of origin.

We note in the report that UNESCO's Intergovernmental Committee is presently considering a number of claims in the context of facilitating sensitive bilateral negotiations which, it is hoped, will lead to the eventual repatriation of the cultural properties in question. We strongly believe that bilateral negotiations, especially when embarked upon in conjunction with increased

international cooperation, could effectively promote the aims of the Committee.

In this respect, it is crucial, whether States act jointly or individually, that the focus of these efforts should be to protect artifacts in their original shape and context, restoring them where necessary to the countries and peoples of their origin, for the sake of cultural continuity and justice.

Similarly, we welcome the efforts to improve the existing international conventions for the protection of the world's cultural heritage, and we agree that our focus should be centred on increasing the number of ratifications by non-party States and on providing technical assistance to States where there are acute problems of illicit trafficking in archaeological objects.

We are following with great interest and high expectations the negotiations on the UNIDROIT preliminary draft Convention on Stolen or Illegally Exported Cultural Objects, and we hope that this process will be finalized in the very near future.

We are of the view that special attention should be paid to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. The multiplying armed conflicts that mankind is being faced with nowadays have highlighted the indiscriminate destruction and plundering of archaeological objects and sites. Being ourselves victims of invasion and occupation, we are well aware of the wanton and systematic looting, vandalism and devastation that follow such events.

The richness and variety of the cultural heritage of Cyprus are renowned all over the world. The soil of Cyprus never ceases to reveal further testimony to the millennial passage of history over this vital crossroads of three continents. Cyprus is the focal point for many renowned historians and archaeologists. Through meticulous archaeological excavations, or sometimes by chance, an impressive diversity of remnants from an even more impressive cultural heritage is regularly yielded up.

The wealth of our cultural heritage has, however, also attracted unscrupulous collectors and treasure hunters who illegally remove priceless cultural treasures of Cyprus. The famous Kanakaria mosaics are an internationally celebrated case in point and for the return of stolen and plundered artifacts. In this case, the Republic of Cyprus brought legal action in the United States for the recovery of four priceless Byzantine mosaics, crudely hacked and stolen from the apse of the sixth-century church of Kanakaria in the occupied part of Cyprus and sold to an American art dealer.

Following a lengthy judicial process, the United States Court of Appeal confirmed that the mosaics before it were of great intrinsic beauty, that they were the virtually unique remnants of an earlier artistic period and that they should be returned to their homeland and their rightful owner. The Court said that it took this decision, not only because the mosaics belonged in Cyprus, but as a reminder that greed and callous disregard for the property, history and culture of others could not be countenanced either by it or by the world community.

Referring to words of Lord Byron, and awarding possession of these valuable mosaics to Cyprus, Chief Judge Bauer continued:

> "Byron, writing of the Turkish invasion of Corinth in 1715, could as well have been describing the many churches and monuments that today lie in ruins on Cyprus, a small war-torn island in the eastern corner of the Mediterranean Sea. As Byron's poem laments, war can reduce our grandest and most sacred temples to mere 'fragments of stone'. Only the lowest of scoundrels attempt to reap personal gain from this collective loss. Those who plundered the churches and monuments of war-torn Cyprus, hoarded their relics away, and are now smuggling and selling them for large sums, are just such blackguards. The Republic of Cyprus, with diligent effort, has been able to locate several of these stolen antiquities; items of vast cultural, religious (and monetary) value."

This decision is not only a precedent-setting case for the return of stolen antiquities to countries of origin, but is also a vindication of the position of countries suffering such losses while under foreign occupation.

Notwithstanding, however, the encouraging outcome of this case, my Government remains concerned about the continuing losses that the cultural heritage of Cyprus has been suffering since 1974. We receive reports, almost on a daily basis, of destruction and pilferage. The most severe destruction has been suffered by churches and monasteries. Over 100 have been stripped of their sacred objects and looted of their icons, frescoes and mosaics.

We strongly condemn these desecrations and the ongoing destruction, and we appeal for resolute action on the part of the international community to preserve a cultural heritage that casts a long shadow from the dawn of history and over modern civilization, and to preserve the bleeding soul and living memory of generation after generation of its rightful owners, the people who created that heritage by the sweat of their brows all down the centuries on the land of Cyprus until this very day.

Let me stress in this connection that the Government of Cyprus and other institutions and individuals have spared no effort or money in seeking to recover - even buy back - whatever Cypriot antiquities could be salvaged. We are grateful to these institutions and to international organizations for their cooperation and assistance. They have undertaken a world-wide campaign for the discovery and return of many significant cultural treasures. Nevertheless, despite the assistance of many organizations - including UNESCO, the International Council of Museums and Sites, the International Criminal Police Organization (INTERPOL), Europa Nostra and the Council of Europe - and devoted curators and scholars throughout the world, we still have no control over the fate of our cultural heritage in our own territory in the occupied part of the Republic.

This area contains the largest part of the island's archaeological and historical sites and religious monuments. These include the Venetian walled city of Famagusta; the seaport of Kyrenia, with its medieval castle; the archaeological sites of Salamis, Mycenaean Engomi, Vouni Palace and Soli; the three medieval castles of the Kyrenia range, St. Hilarion, Buffavento and Cantara Castles; churches and monasteries built between the fourth and nineteenth centuries; and neolithic, Bronze Age, Phoenician, Greek and Roman sites - literally hundreds of places of great historical interest and value.

It is our hope that the United Nations, through its specialized agencies, will continue to contribute to increasing the awareness of the international community of the irrevocable damage done to the cultural heritage of individual countries through plunder and destruction. For, in the final analysis, the loss of a cultural heritage is indeed a loss for the global culture, for future generations and for humanity. It is a loss for ever.

In conclusion, may I emphasize that we firmly believe that no conquest of the past, no occupation of the present, no illicit acquisitions of any sort can justify for long the withholding or refusal of return or restitution of cultural property to its rightful owners: the peoples who were the creators of that property and their countries of origin, as the case might be. Neither secular nor divine law would allow otherwise. From the depths of history, the cry of the tragedian of old, Euripides, testifies to that in these words:

> "Foolish is the one who sacks a city, making a desert of temples, pillaging the tombs, the sanctuaries of the dead; for he prepares his own doom in times to come."

Mr. BATU (Turkey):As a nation with a rich cultural heritage, Turkey is particularly pleased that we are again considering, under agenda item 21, the important issue of the return or restitution of cultural property to the countries of origin.

Having taken note of the valuable report (A/48/466) of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), my delegation wishes to reaffirm its firm support for the efforts of that Organization to promote the return or restitution of cultural property to the countries of origin. The references in the report to the serious increase in the illicit traffic of stolen cultural property underscore the need for further action in this area.

Turkey's heritage can be traced to many ancient civilizations. We are the repository of the treasures provided by these great civilizations. Turkey has thus become a key target for looters and traffickers in stolen art and antiquities. As a result of the systematic plundering of our archaeological sites, many of our cultural treasures have been unlawfully removed and acquired by museums and collectors in certain countries.

It is essential that these properties be located and returned to us. Indeed, it is critical to the preservation of the heritage of all art-rich nations that their cultural properties be preserved in their geographical and natural surroundings and be available for scientific and archaeological studies in their proper context. This is the prevalent world view, and we must accelerate our efforts to accomplish this goal.

As the Director-General's report observes, much has been done under the auspices of UNESCO since 1991 to protect cultural property in its original and natural context and to repatriate the property illegally taken from countries of origin. Moreover, as the report notes, Turkey has initiated bilateral negotiations with the Federal Republic of Germany for the return of a sphinx from Boguskoy and has issued two notices of stolen property, one concerning the theft on 9 December 1990 of 34 antique coins, mostly gold, from the collection of the Kayseri Museum, and another concerning the theft of 596 pieces of Iznik ceramic tiles from the Bayrampasa Turbesi Museum in Istanbul.

While some progress has been made, there can be no doubt that more should be accomplished at the international level. Thus far, cooperation between nations has not achieved a workable mechanism for dealing with specific cases of the illicit removal of cultural property from the countries of origin. As a result, the international traffic in stolen cultural property proliferates, and the archaeological treasures of Turkey and other art-rich

countries continue to be at risk of plunder. We must continue to work together to achieve acceptable measures to accomplish the return and repatriation of stolen cultural property to the countries of origin by international action, which the present available Conventions and Protocols do not provide.

Unless and until this goal is accomplished, we have no choice but to address these problems through bilateral negotiations and in the courts. In this area, Turkey has taken the lead among art-rich nations in seeking redress through the courts to recover its stolen cultural patrimony. Our painstaking efforts in this regard have been vindicated, most recently by the successful resolution of a six-year lawsuit against the Metropolitan Museum of Art to recover the fabled "Lydian hoard" antiquities, which have now been returned to us.

The 363 "Lydian hoard" antiquities returned by the Metropolitan will be prominently exhibited in the museums of Istanbul, Ankara and other Turkish cities, together with some other artifacts. Turkey considers this as a precedent-setting case and is hopeful that the return of this priceless collection will help pave the way toward establishing the rights of all nations to recover stolen artistic and cultural property and deterring smugglers and traffickers from further spoliations of ancient treasures in Turkey and other art-rich States.

Turkey is hopeful that it will one day be able to bring cultural property of the Turkish people home without delay and the expense of legal action. Until then, it will protect its rights in the courts whenever and wherever it has to do so. At the same time, Turkey will continue to contribute to international efforts to solve this serious problem. In this regard, Turkey has, among other things, ratified the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage.

Moreover, Turkey has participated in the negotiations in the framework of the International Institute for the Unification of Private Law (UNIDROIT) on the preliminary draft Convention on Stolen or Illegally Exported Cultural Objects, most recently at the last meeting of experts held at Rome in October 1993. We look forward to the diplomatic conference that will consider the draft Convention next year. We must, however, caution art-importing nations to give serious consideration to the concerns expressed by Turkey and other art-rich nations with respect to compensation, retroactivity and like issues, so that a document that effectively addresses the problem and is acceptable to the greatest number of nations has a realistic chance of approval.

We urge all nations to work together to ensure, on an international level, the protection, recovery and return of stolen and illegally exported archaeological, historical and cultural property. By preserving our respective cultural heritages and restoring them to the rightful countries of origin, we shall best serve the interests of all peoples of the world for generations to come. We pledge our support to that process.

Mr. KHANAL (Nepal): Our world is blessed with rich cultural diversity. That diversity has inspired human imagination and creativity of an astounding variety. Respect for the right of each people to develop its culture and respect for the dignity and value of each culture across national boundaries are essential preconditions for the development of a climate of peace and tolerance. Indeed, as was rightly stated in the Declaration of the Principles of International Cultural Cooperation, adopted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1966, reciprocal respect for, and influence of, the variety and diversity of cultures form a part of the common heritage of mankind.

Illicit trafficking and appropriation of cultural property is hence one of the sad developments of modern civilization. Such criminal acts rob countries of their past. Each piece of cultural property is an essential part of the heritage of the country of origin. Illegal and clandestine uprooting destroys the symbolic bond between a creation of the human mind and its place of origin. As a result, mankind as a whole loses an essential part of the heritage of its civilization.

Since 1973 the General Assembly has been considering this agenda item. International cooperation for the restitution or return of cultural property without charge is the minimum just reparation for the damage done. One welcome result of this initiative has been closer coordination between the General Assembly and UNESCO in efforts to halt this traffic and to effect the restitution of cultural property.

The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illegal Import, Export and Transfer of Ownership of Cultural Property is a major instrument in this area. My delegation appreciates the valuable work done by UNESCO through its Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, of which Nepal

is a member. At the forty-sixth session of the General Assembly, the Director-General of UNESCO submitted an exhaustive study describing the achievements of the Intergovernmental Committee. My delegation appreciates the updated report of the Director-General of UNESCO, which has been transmitted to the General Assembly in document A/48/466.

My country, Nepal, is situated at the crossroads of two of the most ancient civilizations. Nepal itself is the home of a uniquely fascinating and rich cultural diversity. We are proud of our cultural heritage, which attracts visitors from all over the world. The three cities of the Kathmandu valley are renowned for the richness of their architecture, sculpture, paintings and manuscripts. The value of the artistic monuments of the Kathmandu valley is clear from their designation by UNESCO as the cultural heritage of mankind. The items of our cultural heritage continue to be used today in community and family rites and ceremonies.

It is therefore deeply saddening to see our ethnic and folkloric objects, our religious statues, paintings, intricate woodwork and metalwork, and our manuscripts systematically plundered. Every community in Nepal has been affected by this illicit traffic. His Majesty's Government has been taking strong measures to counter this illegal activity. However, governmental action alone is not enough to stop this nefarious business. We appeal for cooperation in drawing up systematic inventories of the cultural property in our country and of our cultural property abroad. This could be an important step towards the preservation of our cultural heritage and towards the return or restitution of works of art that have been removed from Nepal. It might also be helpful to start thinking in terms of punitive compensation in case of damage to cultural property owing to illicit traffic.

Nepal has been working with other countries to counter the serious increase in illicit traffic. In that regard, I wish to make particular mention of the regional workshop held in 1992 in Thailand in cooperation with UNESCO. It was attended by participants from 15 Asia-Pacific countries and observers and representatives from the International Criminal Police Organization (INTERPOL), the Customs Cooperation Council and the International Council of Museums. The workshop gave the participants an opportunity to exchange information about their national experiences and common problems, including those related to effects of tourism.

My delegation fully agrees with the view that dissemination of information and a campaign of education in both developed and developing countries are crucial in raising public awareness of this important matter. Nepal appreciates the efforts of UNESCO in that direction, and we urge even greater efforts in the days to come. We strongly condemn illicit traffic in cultural property, just as we strongly advocate adherence to the principle of restitution and return. Nepal stands ready to cooperate with all countries in efforts to preserve and protect the cultural heritage of mankind.

The PRESIDENT: I should like to propose that the list of speakers in the debate on this agenda item be now closed.

It was so decided.

Mr. CAMACHO OMISTE (Bolivia) *(interpretation from Spanish):* Bolivia possesses vast archeological, ethnic, historical and artistic wealth that comes, in large part, from a cultural diversity encompassing an important pre-Columbian indigenous tradition that endures today.

The marginalization and subjugation suffered by the indigenous cultures through several centuries have not prevented the continued existence of important human cultures that keep intact invaluable traditions and customs in defence of their identity.

Here I should like to speak about the specific instance of one of my country's indigenous communities. The community of Coroma, in the central region of Bolivia, defends its way of life as a means of keeping faith with its ancestral culture and of resisting misguided definitions of progress.

One of the central elements in Coroma's life is the religious festivals, in which the entire population takes part. The people display ancient ceremonial weavings of great artistic value that depict their ancestors and serve a cohesive function for their social organization.

In 1978, during the annual celebration held on 1 November, a group of international traffickers managed to take out of the community complete records of the textiles exhibited. Subsequently, through middlemen, they replaced the best pieces and took them out of the country as handicrafts, thus circumventing the laws regarding Bolivia's cultural heritage.

Fortunately, the leaders of the community had written inventories of the textiles and records of all visitors to the region, which made it possible to make reports to the legal authorities. As a result, in 1988 the Customs authorities of the United States of America seized about 700 pieces, of incalculable value, some of which were to be displayed at a festival in San Francisco, California.

After more than five years of litigation and negotiations, which included the signing of a bilateral agreement between Bolivia and the United States, 43 of the textiles were returned to their community of origin, in view of the pre-eminent role they play in social, political and religious life there. The rest of the material seized was handed over to the traffickers, and it was not possible to set a judicial precedent. What is more, the dealer involved has initiated legal action against the community of Coroma and the Government of the United States, demanding the signing of an agreement that would prevent the legitimate owners from recovering their textile heritage. Judicial proceedings, initially decided in favour of Bolivia, are under way in Canada with a view to achieving the recovery of other ancient textiles of great artistic and historical value.

Bolivia wishes to take this opportunity to thank the authorities of the United States and of Canada for what they have done to date. Nevertheless, my Government is of the view that there is more to be done, since the archeological, historical, ethnological and artistic heritage of our nation continues to be subjected to intensive plunder that has reached alarming proportions.

We have specific information about displays and sales, in certain cities of Germany and England, of ancient Andean textiles that have passed through the United States. Accordingly, we ask the countries that are signatories of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention of 1970 that have also signed bilateral accords prohibiting the import of cultural property to study the possibility also of limiting the export from the co-signing country of objects of this type that might, for whatever reason, be found in their territory.

Bolivia appeals to the parties to the 1970 Convention to take measures to prohibit and impede the illegal import, export and transfer of cultural property, and invites other countries to become parties to that Convention. Bolivia looks forward to the completion of legal proceedings for the recovery and return of illegally exported cultural property, and requests that museums, both public and private, and art collectors be urged to ascertain the origin and legitimacy of ownership of pieces before making any acquisition.

Bolivia also deems it necessary, above and beyond bilateral agreements that might be reached, that joint action be taken focusing, through the domestic legislation of individual countries, on respect for the prohibition on exporting and importing property considered to be part of a national heritage, as Canada has done.

Diversity also involves a reassessment of the traditional and indigenous cultures of our countries, which are often adversely affected by certain aspects of the process of change. This applies to native communities that suffer the constant theft of their historic, artistic and religious heritage by international traffickers who sell ancient ceremonial objects in various world capitals, without the industrialized nations taking preventive measures. We need to take a firm stand to safeguard our archaeological, historic, ethnological and artistic wealth. The United Nations should play a decisive role in protecting the cultural property of our peoples.

Bolivia is a co-sponsor of the draft resolution (A/48/L.15) before the Assembly.

Mr. OUCH (Cambodia) *(interpretation from French)*: As this is the first occasion on which I have addressed the Assembly, allow me first, on behalf of the delegation of the Kingdom of Cambodia, to offer you, Sir, my warmest congratulations on your election to the presidency of the General Assembly at this forty-eighth session. I am firmly convinced that under your leadership, and in view of your extensive diplomatic experience, the work of this session will be crowned with success. You may be assured of the full cooperation of the delegation of the Kingdom of Cambodia.

It is an honour and a privilege for me to address the Assembly and make our contribution to consideration of agenda item 21, pursuant to resolution 46/10 of 22 October 1991.

It is well known that Cambodia is a country with a great many archaeological monuments and treasures and more than 1,000 sites whose magnificent stone and brick edifices rival each other in beauty. I should like to avail myself of this solemn occasion to alert all the friendly States Members of the United Nations, far and near, and all the international organizations concerned of the great harm done to, and the danger of destruction of, art objects of the Khmer culture - a situation which each day grows more serious. Despite the difficult circumstances Cambodia has passed through, the protection of those art objects has continually been one of the major concerns of the international community and of the relevant international organizations. I should not like to miss this opportunity to express, on behalf of the Royal Government of Cambodia and all the Cambodian people, our deepest gratitude for the timely and generous assistance of the United Nations Educational, Scientific and Cultural Organization (UNESCO), and Japan, India, France, Poland and Hungary in helping to maintain, preserve and protect Cambodia's cultural heritage.

The sad events of more than 20 years have not only destroyed Cambodia's economic and human resources but have also considerably impoverished its cultural resources. Most of the monuments which are part of the archaeological site of Angkor, the seventh wonder of the world, spread over more than 200 square kilometres, were subjected to plundering, theft, vandalism and clandestine archaeological digs, all of which were facilitated by war and the unsafe conditions in the region. Hundreds of extremely valuable statues disappeared, and these stolen art objects have recently appeared on the international art market. This considerable loss gravely harms the cultural patrimony as a whole - the patrimony not only of Cambodia but of all mankind. The Angkor site has, since December 1992, been listed as part of the world's cultural patrimony. As a signatory to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (Paris 1970) - the so-called 1970 Convention - the Kingdom of Cambodia continually takes necessary and urgent measures in close cooperation with UNESCO and the international community to ensure better protection against plundering. In this context, the Royal Government of Cambodia will soon submit to our National Assembly a draft law on managing the national site of Angkor. Article 1 of the law reads as follows:

> "The Angkor site, a part of the world's patrimony, is built on Khmer national territory. The improvement of this site is declared to be a national priority."

In the same spirit, UNESCO organized two very important workshops, in February 1992 at Jomtien, Thailand and in July 1993 at Phnom Penh, Cambodia, with the participation of 15 Asian countries, experts from UNESCO, INTERPOL, the International Council of Museums, police and customs officials, and representatives of the *Ecole Française de l'Extrême Orient*, to exchange information and opinions on the measures to be taken against theft, clandestine archaeological digs and the trafficking of cultural objects, with a view to training Cambodian specialists in various techniques such as the preparation of inventories of cultural objects, police investigations, customs searches, organization of guard services, electronic security measures in museums and at the sites, and legislative measures.

I take this opportunity to appeal to the international community, pursuant to article 7 of the 1970 Convention, for its full cooperation against the illicit trafficking of Khmer art objects. In this spirit, I have the honour to recall the following proposals made by His Royal Highness Sdech Krom Loung Norodom Ranariddh, First Prime Minister of the Government of the Kingdom of Cambodia, to the General Assembly on 4 October 1993:

> "In order to recover these valuable cultural properties, we appeal to all countries which export such goods and through which they are transported ... to adopt the following steps to help us. First, they should prevent national museums and similar institutions from acquiring any antiquities which are native to the Kingdom of Cambodia. Secondly, they should ban the import of these cultural properties as soon as they are legally listed in the inventories of Khmer national patrimony, if they are not legally licensed by the competent Cambodian authorities for export purposes. Thirdly, they should take all necessary steps to ensure that antique dealers and merchants of cultural resources assist the Royal Government of Cambodia in recovering and repatriating those cultural treasures illegally exported from the Kingdom of Cambodia." *(Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 15th meeting, p. 8.)*

My delegation agrees with the report of the Director-General of UNESCO on the action to be carried out by that organization for the return and restitution of art objects to their countries of origin, and totally endorses the recommendations in draft resolution A/48/L.15, submitted to the General Assembly for adoption. We once again affirm the determination of the Government of the Kingdom of Cambodia to combat these wrongs in close cooperation with the international community. We are firmly convinced that the measures mentioned in the draft resolution and the aforementioned Convention will be applied by all countries and will encourage all countries which import art objects, or through which such objects pass, and which have not yet ratified the 1970 Convention to do so.

Mr. DROBNJAK (Croatia): The Republic of Croatia is speaking in this discussion by the General Assembly of agenda item 21, "Return or restitution of cultural property to the countries of origin" for the following reasons:

The cultural property of my country was pillaged during the period of the aggression by the Federal Republic of Yugoslavia (Serbia and Montenegro) against the Republic of Croatia. Even today, Croatian cities and cultural monuments are daily subjected to indiscriminatory attacks originating from the occupied territories. Parts of Croatia's cultural heritage have been taken outside the country's boundaries and are still unlawfully kept in Serbia and Montenegro or are under the control of Serbian authorities in third countries.

The most serious example of this followed the utter destruction of Vukovar, a Croatian city bordering Serbia. After its valiant defenders had been overwhelmed by four months of siege, constant bombardment and armoured

attacks and many of them had been summarily executed by the Yugoslav People's Army - an event at present under investigation by the United Nations Protection Force (UNPROFOR) and the commission of experts that is investigating war crimes in the former Yugoslavia - the occupying forces entered underground vaults to collect and steal priceless works of art belonging to the City Museum of Vukovar and several private collections. All those treasures were taken outside the Croatian borders, to Beograd, Novi Sad and Subotica in Serbia. Furthermore, Belgrade authorities shamelessly attempted to show part of those treasures at an exhibition in Paris in May 1992.

The ownership of the stolen pieces of art is beyond dispute: even the Government of the Federal Republic of Yugoslavia admitted at the time that the items "belong to the family Paunovic, Dr. Antun Bauer, the Vukovar City Museum and the Vukovar Gallery of the Art Treasure". It is clear that the property was taken out of the country without the consent of its owners or the relevant authorities of the Republic of Croatia, after the occupation of Vukovar. Compounding their shameless behaviour, the Belgrade authorities then requested the Committee of the Security Council established pursuant to resolution 724 (1991) concerning Yugoslavia to allow repatriation of those treasures to Belgrade.

The Government of the Republic of Croatia stated at the time that the repatriation requested by the Government of the Federal Republic of Yugoslavia should be denied. Furthermore, the Republic of Croatia asked that the party found in illegal possession of the treasures in question be instructed to submit them to the impartial custody of a United Nations official designated by the Committee, at which time the Government of the Republic of Croatia would file a request for repatriation to the real country of origin and to its legitimate owners. Unfortunately, the Committee found itself incompetent and declined to issue such an order. However, we believe that the stolen treasures are still in Paris.

I should like to point out that the former Yugoslavia was, and the Republic of Croatia is, a party to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. On 29 November 1991 Croatia logged the first in a series of communications to the United Nations Educational, Scientific and Cultural Organization (UNESCO) concerning the pillage of treasures from Vukovar. My Government asks that the Belgrade authorities finally comply with their international obligations under those Conventions, and that all the stolen property be returned to the Republic of Croatia without delay.

The city of Vukovar is not the only pillaged location in the Republic of Croatia. There are many others such as Drnis and Ilok. The destiny of 16 museums and numerous private and ecclesiastical collections holding more than 200,000 items, which remain cut off in the occupied territory of Croatia, remains largely unknown. It has been determined with certainty that six of the museums were completely pillaged by the occupying forces and their possessions taken away to an unknown location.

The Serbian aggression has devastated large parts of my country. The ancient cities of Dubrovnik, Zadar and Sibenik were heavily shelled and many priceless pieces of art have been lost to future generations. However, my Government takes note with appreciation of the report of the Director-General of UNESCO (A/48/466), hopeful of the definitive return of all the stolen treasures and the possible reconstruction of those damaged or destroyed by Serbian vandalism.

I should like to take this opportunity to express our deepest gratitude to UNESCO for the effort in reconstruction of Dubrovnik and other devastated sites on Croatian territory.

Mr. BAYART (Mongolia): The Mongolian delegation has studied with a great deal of attention and interest the report of the Secretary-General (A/48/466) on item 21, "Return or restitution of cultural property to the countries of origin".

We are gratified at the work done and the progress made since the seventh session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, held at Athens in April 1991.

As can be seen from the report, various activities have taken place with a view to promoting bilateral negotiations and regional cooperation, especially on the reduction of illicit traffic in cultural property, to preparing inventories of movable cultural property, and to disseminating information to the public.

In spite of the work accomplished thus far, one can hardly overestimate the dimensions and complexities of the problems and the tasks at hand. There is no doubt that the issue calls for close international attention and the elaboration of sound strategies to deal with the different aspects of it. It is in this light that my delegation sees the importance of a periodic review of the question in the General Assembly.

My delegation highly commends the work being done by the United Nations Educational, Scientific and Cultural

Organization (UNESCO) and expresses the hope that its activities in this important domain will be further expanded.

The question of protecting cultural property and ensuring its return or restitution to the countries of origin has gained increased prominence of late. It is especially true in the case of those countries which, having done away with ideological impediments, are making strenuous efforts to revive national identity and restore cultural heritage. It is equally true with respect to regions and countries riddled with wars and ethnic conflicts.

Mongolia, a nation with a centuries-old history and a great historical and cultural heritage, is today undergoing a dramatic process of spiritual renewal.

Efforts are being made to restore the cultural and religious relics destroyed during recent years as a result of given political and historical circumstances. In addition, Mongolia desires to cooperate with other countries and international organizations in locating and returning the many invaluable cultural artefacts taken away from our country.

Mongolia has recently become a party to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. In February 1992 Mongolia participated in a regional workshop at Jomtien, Thailand, on the means of combating illicit traffic in cultural property.

My delegation wishes to commend the initiation of a national workshop on measures against illicit traffic in cultural property at Phnom Penh, Cambodia. We believe that similar national workshops could be organized in other interested countries. Mongolia is willing to cooperate with UNESCO in this regard.

The Mongolian delegation strongly supports the content of draft resolution A/48/L.15 and is pleased to co-sponsor it. We hope that the draft resolution will command the widest possible support of the Assembly.

Mrs. ESCHENKO (Ukraine) *(interpretation from Russian)*: The fact that the problem of the return or restitution of cultural property to the countries of origin is being systematically considered at the United Nations is evidence of the importance of the issue for international relations. A large number of international documents confirm the right of States that have been deprived of their cultural property as a result of colonial or foreign occupation or crime to have them returned. Members of the international community are urged to take the necessary steps to create favourable conditions for the realization of such a right.

On its centuries-long path to independence Ukraine suffered tremendous losses of its national relics and historic and cultural property. My country has ratified international conventions on the return of cultural property and supports the relevant resolutions of the United Nations General Assembly.

In this respect it might be appropriate to refer to the law of Ukraine entitled "Implementation of International Agreements on the Territory of Ukraine", of 10 December 1991. Under that law, international agreements concluded and properly ratified by Ukraine constitute an integral part of the national legislation of Ukraine and are implemented according to the procedures provided for under national legislation.

Ukraine has thereby demonstrated its readiness for closer cooperation in the preservation of cultural heritage, and, for its part, hopes for the effective support of the international community.

An agreement adopted at the initiative of Ukraine at the meeting of Heads of States participants of the Commonwealth of Independent States in Minsk on 14 February 1992, has as its aim the solving of the problems involved in this issue. This agreement, in the spirit of United Nations General Assembly resolutions, could serve as a legal basis and machinery for returning cultural and historic property to the countries of origin - a matter which has become an urgent issue since the disintegration of the Soviet Union. We regret that the agreement was rejected by the former parliament of the Russian Federation and we hope that a new Russian parliament will have a better understanding of the problem.

In order further to enhance the Minsk agreement Ukraine has endorsed the initiative of the Republic of Belarus to establish an inter-State commission on ownership rights over cultural property collected in museums, libraries and archives as well as in storage in the former Soviet Union.

We deem it important to cooperate on this issue with the countries of Eastern and Central Europe. To that end Ukraine's representatives participated in the seminar on the prevention of illicit traffic in cultural property that was held by the United Nations Educational, Scientific and Cultural Organization (UNESCO) at Budapest last March.

The future of cultural property in the aftermath of the collapse of empires and great Powers and the establishment of independent States is an important problem that

demands closer attention by the international community. Consideration of the question and elaboration of up-to-date recommendations could add impetus to the solution of problems, including those faced by participants from the Commonwealth of Independent States.

Ukraine is most interested in the implementation of international agreements on the return of cultural property expropriated during the Second World War. We do realize, however, that the underlying factor in practical work to return cultural property is bilateral cooperation. Therefore, provisions on the return of property are included in a large number of Ukraine's agreements on cultural cooperation with different countries. We have already found positive solutions to the problem of the return of the national property of other States which has happened, by a stroke of fate, to be located on Ukrainian territory.

Joint work has already begun with Belarus, Moldova, Hungary, Great Britain and Germany. We value highly cooperation with Poland, on whose territory there is a great deal of the cultural property of the Ukrainian people, including our unique national relics.

Contact with the German side in this area has special significance for Ukraine. As is well known, the Nazis inflicted terrible damage on Ukraine during the Second World War. Its losses in art objects alone totalled more than 300,000 items.

I should also like to touch upon our relations with Russia in this field. That country still has in its possession unique documents and relics relating to the very core of Ukraine's history and statehood - in particular the archives of the Zaporizhia Cossack Sich, which was liquidated by the Tsarist Government in 1775. The archives of the Ukrainian People's Republic experienced the same sad fate following the occupation of Kiev by Bolshevik troops in 1918.

This year, for the first time in 60 years, we commemorated the tragic anniversary of the Great Famine of 1932-1933 in Ukraine. Thanks to the work of Ukrainian researchers in the Diaspora and of American historians, we know today that it was actually genocide committed by the Stalin regime against its own people. The artificially induced famine in Ukraine cost the lives of more than 8 million people. Those horrifying figures need further clarification, but archives relating to this dark page in our history are also in Moscow, which makes it difficult for Ukrainian researchers to investigate the question.

These are but a few examples - the list of historical documents alone is far from exhaustive - and there are also many cultural relics that were removed from Ukraine at different periods of time. Some art collections, such as that of Khanenko, a well-known Ukrainian patron of the arts, were transferred to Moscow as temporary exhibits. It is, however, well known that nothing lasts longer than the temporary. We venture to hope that bilateral consultations on the issue will be held in the near future and that they will benefit both peoples and States.

The fate of cultural property detected by customs services during attempts to smuggle it out of the country is a separate issue. To coordinate such work a National Commission on the Return of Cultural Property has been created under the Cabinet of Ministers of Ukraine. At present nearly 43,000 objects have been registered that were at various times illegally shipped out of Ukraine. Their precise or supposed location has been identified. A comprehensive catalogue of lost cultural property, with descriptions and photographs of more than 4,000 items, is being compiled by the Commission.

An automatic information system called "Lost Property" is being created in Ukraine, and work on an annual scientific and informational publication, *Heritage*, has begun. Draft laws concerning the national cultural heritage, the procedures for the export of cultural property from Ukraine and the conditions of its transit are being submitted for consideration by the Verkhovna Rada of Ukraine. In this connection close links with the International Criminal Police Organization (INTERPOL) and the Art Loss Register, London, would be most helpful to us.

Ukraine is placing its hopes on the world community's understanding of this problem and on the support of those who care about the future of spiritual treasure. For every nation, the return of its cultural property to its native soil means the return of its national dignity.

The delegation of Ukraine approves the report of the Secretary-General on this agenda item (A/48/466) and endorses the proposed draft resolution A/48/L.15, which will contribute to the solution of this important international problem and thus strengthen mutual understanding among States.

Mr. EXARCHOS (Greece): When I addressed the Assembly two years ago on this very important item I pointed out that the question of protecting the cultural property of all nations is more relevant now than in the past and that respect for each nation's unique character, most prominently expressed by its cultural heritage, would undoubtedly benefit the strengthening of international cooperation.

Since then, the goals set by the resolutions adopted by the General Assembly may not yet have been reached, but the matter is at least being given serious consideration by the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin, and we are glad to note that progress is being made. In this respect we also welcome the continuing accession of States to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which has now been signed by 78 countries. We of course look forward to the accession of more States in the future.

The latest report of the Secretary-General (A/48/466) provides us with a useful account of the steps being taken to curb the illicit traffic in cultural property. We can but commend the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for their unrelenting interest in and efforts with regard to this important question. We should also like to express our appreciation for the efforts undertaken by a series of international organizations, namely, the International Criminal Police Organization (INTERPOL), the International Council of Museums (ICOM), the United States Information Agency (USIA) and the Customs Cooperation Council.

We also wish to reaffirm the importance we attach to bilateral cooperation in the attempt to seek and find the solutions required. This is also an area where we are aiming at further improvements in relations between countries.

As we had an opportunity to state in an earlier discussion on this matter, we believe that a proper procedure should be worked out to take into account the principle of retroactivity in the restitution of illicitly transferred cultural property. Is this principle not the essence of the item we are examining, along with the prevention of future illicit transfers of works of art, which constitute the cultural heritage of the peoples who created them?

In this connection, I should like to reiterate our strong and continuing interest in the elaboration of a convention on stolen or illegally exported cultural objects. As a matter of fact, Greece has actively participated in all the meetings of the Committee of Experts established by the International Institute for the Unification of Private Law (UNIDROIT) for this purpose. The adoption of a convention could constitute a significant step forward in respect of this very important and thorny issue.

In this connection, may I refer to the useful work being done by the Intergovernmental Committee of UNESCO - especially its first recommendation, with regard to the restitution of the marbles of the Parthenon. The Committee

> "recommends that the Secretariat, with the advice and assistance of the International Council of Museums, seek the opinion of a panel of independent experts of international repute which will, after studying conditions in their present location and those specified in the plans of the new Acropolis Museum, advise the Committee as to the place where the Parthenon Marbles could best be situated".

We are glad to report that work on the plans for the construction of the new Acropolis Museum has been going forward.

On the other hand, it is with concern that we note the theft of 64 archaeological objects of priceless value from the museum on the island of Aegina, near Athens. This is mentioned in the report of the Secretary-General. Fortunately, a significant number of bronze Early Mycenaean objects were later found by the Greek police authorities.

Equally disturbing is the fact that 20 very valuable marble and clay figurines and craters of the Early Cycladic period are missing from the Archaeological Museum of the island of Paros. There can be little doubt about their illicit removal from Greece. I should like to mention also a segment of a mosaic floor from the Museum of Sparta, depicting a head of the Medusa, which was recently located in a New York private art gallery.

We also note that in the occupied part of the Republic of Cyprus, where most of the archeological and religious monuments of the island lie, there has been large-scale looting by the occupying foreign troops. Apart from the removal of unique mosaics from the church of Panagia Kanakaria, to which we referred two years ago, there are the cases of illicit removals from the Antiphonitis Monastery and the Chapel of Agios Themonianos and of illegal exports and sales by smugglers to collectors abroad.

Finally, equally disturbing is the fact that new, and similar, cases of the theft and illegal export of cultural objects are reported in so many countries around the world.

Against this pessimistic background, I should like to draw attention to the fact that the Secretary-General's report does make reference to cases of the restitution of stolen articles. This is an encouraging note. Pieces of pottery were returned to the Museum of Ancient Corinth in Greece; the first Panamanian flag is back at the Museo de Historia in Panama; and stolen paintings were found as

a result of action by West Berlin's repression-of-crime unit.

However, new cases of the theft and illicit transfer of cultural property demonstrate clearly the pressing need for increasingly tough measures from the specialized international organizations.

May we soon see an end to this sad practice.

Mrs. JAGAN (Guyana): The draft resolution (A/48/L.15) that is before us today, which deals with the return or restitution of cultural property to the countries of origin, is of great importance to a large number of countries, which, through the ages, have been deprived of cultural property created and/or owned by earlier civilizations. Such property, in the main, forms the cultural heritage of nations, as well as the basis of a nation's history.

The pride and glory of countries in all parts of the globe is derived, to a great extent, from what their artists, architects, artisans and workers produced in different periods of history. To many countries, there is a great sense of loss, as well as of humiliation, in the thought that irreplaceable objects of their cultural heritage are to be found in museums, and even in private collections, in other countries.

The importance of these objects of art and of the culture of some of the world's great civilizations is beyond estimation. The removal of the cultural property of these countries indicates the lack of a thorough understanding and appreciation of their own cultural heritage and denies their scholars and historians the right to a careful examination and analysis of their past.

It is to the credit of the United Nations Educational, Scientific and Cultural Organization (UNESCO) that this subject has been dealt with and put in its proper perspective and has been given priority. So frequently, in the materialistic world in which we live, insufficient attention has been paid to history and culture and to man's need to take pride in the knowledge of a rich culture as part of his heritage.

The concern evinced by UNESCO about this matter has helped to guide many countries with regard to the provision of legislation and inventories; methods of recovering treasures of earlier civilizations; and the creation of the climate for the return of such historical objects.

Also, with the improvement of scientific methods of recovering cultural property from seabeds and from excavations carried out with highly technical equipment, there are now greater possibilities for plundering cultural property. Thus, proposals in the text of the draft resolution constitute ways and means of dealing with these new challenges.

What we are dealing with is a moral issue too. Thus, we must take into account the responsibilities of countries in possession of the cultural property of - and this is generally the case - smaller and poorer nations.

These monuments, objects of art, pieces of great importance belonging to buildings and historical sites that have lost whole sections - including manuscripts and other cultural treasures - are important to the study of a nation's history. In this hemisphere, the magnificent indigenous cultures have been plundered since the arrival of Columbus. These are especially important to the young people of the countries concerned - the generations to come, who need reassurance of their worth and a more complete understanding of what their ancestors created. Such cultural property is an inspiration and an incentive to young people to achieve the greatness of their ancestors, a better understanding of their rich history, and a pride in being that derives from cultural values.

The UNESCO appeal, the purpose of which is to encourage the mass media, along with educational and cultural bodies, to foster greater awareness with regard to the return of cultural property to the country of origin, deserves serious consideration, as do appeals for bilateral agreements for the restitution of historical treasures.

The injustices of the past can be corrected today, when, one hopes, the conscience of nations is maturing. There is a great need to restore the self-esteem, conscience, pride and dignity of the nations that have provided the basis for the great advances we have witnessed in this century. UNESCO deserves greater support and needs greater clout if it is to repair the damage of the past. Draft resolution A/48/L.15 must be more than a piece of paper tucked away in a file - we must strive to give it life and meaning.

Mr. ORDZHONIKIDZE (Russian Federation) *(interpretation from Russian)*: The return or restitution of cultural property to its countries of origin is an extremely important issue which, while no doubt important in and of itself, should in our view be considered in broader terms, in the context of the overall problem of the preservation of cultural heritage. Solving this problem is important for the world community as a whole and for the various regions and subregions, and of course for every State and people The significance of the problem should be matched by measures to be taken at the universal, regional, bilateral

and national levels, in order to settle such overall issues as the preservation of cultural heritage and specific issues of the restitution of cultural property to its countries of origin.

The item we are discussing is extremely topical for Russia. It comprises a number of historical and basically disparate elements which make it necessary to combine varied approaches to its solution.

A particular situation which goes back a very long way is one that grew out of the Second World War. A significant amount of the cultural property that ended up outside our country at the end of that war has not yet been returned; nor have all aspects of restitution to the appropriate States of property that ended up in our country after the war been solved. Fundamental for us here are the principles formulated in the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, concluded in The Hague, and the Protocol to the Convention.

A new situation arose with the need to preserve the cultural heritage after the Union of Soviet Socialist Republics ceased to exist, when on the territory of a single, multinational State there was a great deal of cultural property that belonged to various newly arisen States. Here we must observe that with the formation of new States on the territory of a State that had existed for a long time it was very difficult to determine which State should be regarded as the country of origin of cultural property, and consequently to whom the property should be restored.

During the establishment of the Commonwealth of Independent States, and the formation of customs, border and other law- enforcement machinery of the Russian Federation, there was large-scale illegal export of cultural property from our country. For the first half of 1992 alone, officially registered crimes pertaining to cultural property numbered 2,211, and this figure has virtually doubled over the past year. According to the data available to us, outside Russia there are active smuggling organizations trafficking in the export from our country of items of antiquity and art objects. Now we are taking the appropriate steps at the national level as part of international cooperation in order to correct the situation.

Pursuant to the recommendations of the General Assembly at its forty-second and forty-sixth sessions, the Russian Federation has adopted a number of legislative acts to protect our cultural heritage. First and foremost we have in mind the basic premises for legislation on culture. They include the definition of such concepts as cultural property and the cultural heritage of the peoples of the Russian Federation, and they also point out that Russia is carrying out a purposeful policy to return cultural property that was illegally exported from its territory. As a development of this law, the President of Russia has approved a provision on the basic sites of cultural heritage for the peoples of the Russian Federation, and a State inventory has been established for these sites for the peoples of Russia. Along with this, pursuant to the President's decree on steps to preserve cultural property and to prevent its illegal export from the Russian Federation, a federal service to preserve cultural property has been established. This service, along with other functions, documents the export of cultural property and registers cultural property that comes into Russia.

In 1992 the Government of the Russian Federation formed the State Commission to Register Cultural Property, headed by the Ministry of Culture. The Commission was instructed to prepare materials on claims for Russian cultural property outside of Russia, as well as to consider the claims of foreign States with regard to cultural property that might be found on Russian territory. In this connection, the Commission is authorized to carry out consultations and negotiations on restitution.

As the successor State to the Union of Soviet Socialist Republics, Russia adheres to the major international legislation in this field: the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Protocol to the Convention, the Paris Convention concerning the Protection of the World Cultural and Natural Heritage, concluded in 1972, and the Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, concluded in 1970. These broadly recognized multilateral Conventions are a good basis for developing bilateral cooperation. We hope that all States will adhere to them. We agree with the conclusion in the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), submitted in 1992 to the Executive Board, to the effect that we should focus efforts not on a revision of the 1970 Convention, but on enhancing its effectiveness.

We are open to all kinds of cooperation in restoring cultural property. Russia is a member of UNESCO's Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation. In March this year the Russian delegation took part in a regional seminar in Hungary on this issue of trafficking in cultural property.

By the same token, as we see it, the bilateral format for cooperation is the most effective, since it allows us to take into account fully the specifics of every situation. In particular, we find useful bilateral consultations with a view to exchanging experience for the effective campaign

against illegal transactions in cultural art objects. An agreement on consultations, for example, has already been concluded with Italy.

We welcome the contribution made by the General Assembly to solving this problem, as well as the great deal of work that has been done in this sphere by UNESCO, in particular through the Intergovernmental Committee. This is a good back-up for, and stimulus to, the efforts under way by States at the national, bilateral and regional levels.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.15.

I call on the representative of Zaire, who will announce the names of additional sponsors of the draft resolution.

Mr. LUKABU KHABOUJI N'ZAJI (Zaire) *(interpretation from French)*: I should like to inform the Assembly that, in addition to the countries listed as sponsors of draft resolution A/48/L.15 - Côte d'Ivoire, Cyprus, Ghana, Greece, Mali, Mexico, Morocco, Niger, Rwanda and Zaire - the following countries have decided to become sponsors: Bolivia, Cameroon, Costa Rica, Egypt, El Salvador, Guatemala, Mongolia, Nepal, Nicaragua, Peru and Ukraine.

I should also like to bring to the Assembly's attention an error appearing in the English version of operative paragraph 14 of draft resolution A/48/L.15. The words "forty-eighth session" should be replaced by the words "fiftieth session".

The delegation of Zaire wishes to thank all those who have supported this draft resolution as well as those who have given it their tacit approval.

The PRESIDENT: I now put to vote draft resolution A/48/L.15. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Bahamas, Bahrain, Barbados, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Ecuador, Egypt, Ethiopia, Finland, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Samoa, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Zaire, Zambia, Zimbabwe.

Against: None.

Abstention: Albania, Austria, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Poland, Portugal, Romania, Russian Federation, Slovakia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

***Draft resolution A/48/L.15 was adopted by 106 votes to none, with 25 abstentions* (resolution 48/15).**

The PRESIDENT: I call on the representative of the United Kingdom, who wishes to speak in explanation of vote.

May I remind representatives that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. RICHARDSON (United Kingdom): My delegation abstained in the vote on the draft resolution which the Assembly has just adopted.

We are sympathetic to the aspirations of those countries that wish to develop and improve their collections of cultural property, but we cannot accept the principle that cultural property which has been freely and legitimately acquired should be returned to the country of origin. We are always willing to discuss specific cultural property questions bilaterally with other Governments.

My delegation strongly condemns illicit traffic in cultural property and we can support much of the draft resolution which the Assembly has just adopted. But there are no grounds in law on which the British Government can order the return of items which were legitimately acquired by British museums.

Other elements of the resolution also present us with some difficulties. Operative paragraph 2 runs counter to our belief that the great international collections of works

of art constitute a unique resource for the benefit of both the public and the international academic community.

Support for operative paragraphs 5 and 6 would imply that my delegation favoured the establishment of a systematic inventory of cultural property in the United Kingdom. As we have explained in previous debates on this subject, this would pose great practical difficulties.

Operative paragraphs 10, 11, 12 and 13 refer to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Ratification of this Convention would present considerable problems for the United Kingdom. But, as the Assembly will know, many of the underlying requirements of the Convention are already part of our approach to this problem. The British Museum and Art Trade interests have subscribed to two voluntary codes of practice, in 1977 and 1984, on the handling of items of dubious provenance, which uphold the spirit of the 1970 Convention. We take these codes seriously and investigate any reports of their contravention. In addition, the Metropolitan Police Art and Antiques Squad maintains close links with INTERPOL.

The United Kingdom views draft convention of the International Institute for the Unification of Private Law (UNIDROIT) on the restitution of stolen or illegally exported cultural property as an innovative attempt to address the problems raised by the Convention of the United Nations Educational, Scientific and Cultural Organization (UNESCO). The United Kingdom participated in the four meetings of national Government experts held in Rome to consider the Convention and awaits the revised draft of the Convention following the conclusions of the latest meeting, in October.

In conclusion, I should refer briefly to the remarks made by the Permanent Representative of Greece about the works of art known as the Elgin Marbles. It is the view of Her Majesty's Government that the portions of the Parthenon known as the Elgin Marbles were legally obtained and that they should remain in the British Museum, whose Trustees consider it in the general interest to maintain the integrity of the Museum's collections for the benefit of international scholarship and the enjoyment of the general public.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 21?

It was so decided.

AGENDA ITEM 170

THE SITUATION IN BURUNDI (A/48/L.16)

The PRESIDENT: I should like to remind members that a draft resolution similar to that in document A/48/L.16 appeared in document A/48/240.

I now call on the representative of Burundi to introduce draft resolution A/48/L.16.

Mr. SINUNGURUNZA (Burundi) *(interpretation from French)*: Mr. President, I thank you for the opportunity you have given me to speak.

At the outset, I should like to thank the General Assembly, which has just adopted the report by its Bureau on including an additional agenda item entitled "The situation in Burundi" in the agenda of its forty-eighth session.

On 21 October 1993, as I have already had occasion to say here, an attempted *coup d'état* was staged by a group of military people and has plunged Burundi into a serious constitutional crisis. On the heels of the putsch, the President of the Republic, who had been democratically elected on 1 June this year, was assassinated. The perpetrators of the putsch also killed the President and Vice-President of the National Assembly, and a number of other eminent figures who were members of the Government or the administration.

When they learned the bad news, the people rose up and at the same time the old ethnic fault lines became active. Today, violence has ravaged the villages of Burundi, and people have sought sordid and unsafe shelter in the centre of the country while many others have fled to our neighbouring countries, Rwanda, Zaire and Tanzania. The situation is so bad that, if nothing is done now, a civil war is likely to spread throughout the country, with incalculable consequences for international peace and security.

To avoid this disaster, the constitutional order must be restored and the legitimate Government must be able to take things in hand. The Government of Burundi therefore desires the support of the international community in condemning the *coup d'état* and in restoring democracy and the constitutional regime.

To achieve this, it would be desirable for an international force to be established in Burundi with the mission of protecting the democratic institutions and restoring a climate of confidence amongst the population. It would also be desirable for the international community

to provide emergency humanitarian aid to Burundi, for our people who are suffering within our borders and also outside.

In submitting the draft resolution, the delegation of Burundi is hoping for support from the General Assembly and for the draft resolution to be adopted.

The situation in Burundi is of the greatest concern to the whole international community. We have already had occasion to say so here, and have indeed said so in other groups too; accordingly, we believe that we already enjoy the necessary support from the Assembly, for which I thank you.

Mr. LAMAMRA (Algeria) *(interpretation from French)*: President Ndadaye, God rest his soul, on 4 October just past declared from this very rostrum that he wanted, just shortly after the victory of democracy in his country, to convey a message from his people to the international community, a message of peace, friendship, fraternity and solidarity.

In paying to him a ringing and moving tribute last Friday, and in mobilizing in communion and solidarity with the people of Burundi and their Government, the international community has indeed proved that it believes in President Ndadaye's message, so that the sacrifice this statesman, now gone from us, has made can implant and nurture the noble values he articulated here; his people and Government will ensure that those values prevail.

The unanimous international condemnation of the *coup d'état* and the assassinations of Burundi's Head of State and a number of the country's leaders, along with the spontaneous convergence of the various types of action taken internationally are all legitimate grounds for satisfaction for us all inasmuch as they bear witness to the international community's capacity to react swiftly and effectively when the ideals we share are threatened or flouted.

The simultaneous visits to Bujumbura by Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity (OAU) and by Mr. James Jonah, the representative of the United Nations Secretary-General, are a reassuring demonstration of this. Surely what we have here is an example of the convergence and complementarity of the actions taken by the world Organization and the Africa-wide organization, both of which are striving to strengthen the measures taken or planned by the Government of Burundi with a view to setting the situation, in political and security as well as in humanitarian and socio-economic terms, rapidly to rights.

As Algeria has the chairmanship of the African Group this month, I feel duty-bound to refer here, with justifiable pride, to the position adopted and the action taken by the executive organs of the OAU: I refer here to the action of the acting President of the OAU, President Hosni Mubarak of Egypt, in taking the matter to the Security Council, and to the efforts of the OAU Secretary-General, Mr. Salim Ahmed Salim.

Similarly, the central organ of the OAU's conflict prevention, management and settlement machinery - which was just recently established, at the Cairo summit meeting held last June - immediately, on 22 October, began to consider the situation in Burundi and took a firm position by deploring the *coup d'état* and demanding the restoration of democracy and the rule of law in Burundi.

The OAU Secretary-General's visit to Burundi was made with this point in mind, and expresses our pan-African organization's firm determination to exert a positive influence on the outcome of this tragic situation and in easing the trials to which the people of our brother country, Burundi, are now being put.

In building on these African initiatives and actions, the Group of African States within the United Nations has naturally rallied in support of the initiative taken by the Permanent Representative of Burundi in submitting the item entitled "The situation in Burundi" to the General Assembly for inclusion in the agenda, and in submitting a draft resolution whose unanimous adoption will, we are certain, deliver a message of hope to the people of Burundi and of support for their Government.

The actual content of the draft resolution requires no detailed comment; its provisions, objectives and premises are obvious at a glance, and have all already received the broadest international support. It is now up to the General Assembly to place the seal of its moral and political authority on the universal condemnation of the *coup d'état* of 21 October, to demand the immediate restoration of the constitutional regime in Burundi, to mobilize humanitarian aid from the international community quickly and on a par with the actual needs and to support the efforts of the Government of Burundi, the Organization of African Unity, the Secretary-General of the United Nations and of the countries in the region to promote the restoration of the constitutional order.

In the spirit of the statement just made by the Permanent Representative of Burundi, and in support of his request, I recommend to the Assembly that it should adopt the draft resolution by consensus.

Mr. NOTERDAEME (Belgium) *(interpretation from French):* I have the honour of speaking on behalf of the European Community and its member States.

Barely five months ago, the people of Burundi, for the first time in their history, were able to express their will through free, pluralist and fair elections. The European Community and its member States welcomed with great satisfaction this exemplary process of democratization and expressed their solidarity with the authorities and the people of Burundi.

Less than a month ago, on 4 October, President Melchior Ndadaye, from this very rostrum, expressed his hopes that democratic elections, the establishment of a broad-based Government and a comprehensive amnesty would lead to the consolidation of peace and a strengthening of confidence among the various components of his nation and would speed up the economic and social development of his country.

This hope was brutally dashed by the attempted military *coup d'état* of 21 October last and by the assassination of President Ndadaye and of other political figures.

The European Community and its member States condemn this attempt most vigorously and reiterate their support for the elected Government of Burundi. We appeal to the entire nation to restore constitutional order and democracy and to respect human rights. It is absolutely necessary to put an end to the violence and to the massacres raging in Burundi.

The European Community is considering steps to be taken if constitutional order is not restored in Burundi. These measures would be in addition to those taken by some of its member States, which have suspended their bilateral cooperation with Burundi. The European Community and its member States pay tribute to the memory of President Ndadaye, who, through his democratic convictions, his forthrightness and his courage, incarnated the promise of a positive political development in Africa.

In the face of the tragic situation in Burundi, we note with satisfaction that the United Nations has reacted promptly. We thank the Secretary-General for following up on our request by appointing Under-Secretary-General Mr. Jonah as his Special Envoy for Burundi. We await with interest the report of the Secretary-General on the situation in Burundi as a follow-up to Mr. Jonah's mission.

The Security Council, for its part, met on an urgent basis at the request of Burundi, the Group of African States and the Organization of African Unity (OAU). In an official statement, the Council greatly deplored and condemned the events that took place in Burundi.

Finally, also at the request of Burundi, our Assembly is meeting today to show that the international community condemns loud and clear this attempted *coup d'état* and demands the restoration of legality in Burundi.

The European Community and its member States support the efforts of the OAU. We have taken note with interest of the visit to the region of the Secretary-General of that organization, Mr. Salim Ahmed Salim, accompanied by President Mubarak's Special Envoy. We hope that the OAU will be able quickly to take steps to gradually restore trust between the legal Government of Burundi and the armed forces of that country. Indeed, this trust is absolutely necessary for the return of the constitutional order and for an end to massacre and violence in Burundi. An initiative by the OAU would augur well for the prevention machinery and crisis management which are to be established pursuant to decisions taken at the Cairo Summit.

One of the most disturbing aspects of the Burundi crisis is the massive exodus of refugees. According to the information we have received, hundreds of thousands in Burundi have fled their country for Rwanda, Tanzania and Zaire. The European Community and its member States support the appeal for humanitarian assistance in the draft resolution before us (A/48/L.16). We, for our part, have already given initial emergency aid to those refugees.

The exodus of refugees illustrates the serious repercussions of the situation in Burundi on peace and stability in the region, and especially in Rwanda. This is why the European Community and its member States ask most urgently that the United Nations Assistance Mission for Rwanda be deployed as soon as possible so as to avoid any spillover effect in that country. In this connection, we note with satisfaction the arrival in Kigali of the reconnaissance mission under the leadership of General Dallaire.

It goes without saying that the European Community and its member States fully agree with the draft resolution before us which, we hope, will be adopted without a vote. May this clear-cut message from the international community be heard by the rebels, and may the attempted *coup d'état* be but a brief pause in Burundi's march towards democracy.

Mr. LADSOUS (France) *(interpretation from French):* France fully agrees with the statement which was just made by the Belgian President of the European Community. For its part, France would like in addition to emphasize several particular aspects.

France was greatly shocked to learn of the coup that took place in Burundi on 21 October. It was with the same shock that it learned that President Ndadaye had been assassinated, along with other Burundi political figures, by members of the military whose responsibility for such events is well established.

France firmly condemns these acts of violence as well as those that led to the massacre of many civilians. It demanded that the military immediately return to their barracks and that they free the prisoners who had been illegally detained since 21 October. It hopes that those responsible for these acts will be brought to justice after an inquiry.

Burundi, in recent months, had seen more than satisfactory developments. The elections that were held in June in that country were exemplary in all aspects. Indeed, the first elected President of Burundi himself, only a few weeks ago in the General Assembly, committed himself to foster the emerging pluralism in Burundi.

There can be no question of acquiescing in such coups. On several occasions since 21 October, the people of Burundi themselves, in spite of the risks involved, have shown their opposition to the rebels and their determination immediately to restore democracy and a constitutional regime to their country.

France welcomes the fact that the United Nations and the Organization of African Unity were able to react so quickly and give the legal Government of Burundi unconditional support. We also welcome the fact that the international community was able quickly to send on the spot initial emergency assistance for the hundreds of thousands of refugees who have had to flee the violence caused by the coup.

My delegation remains concerned at the situation created in the region by the events in Burundi. Indeed, these sad population movements threaten international security in the region, especially in Rwanda, where a fragile process of reconciliation has begun. France hopes that measures will be taken to hasten the deployment of the United Nations Assistance Mission for Rwanda in order to consolidate that process.

My country hopes too that the international community will intervene in Burundi with a view to national reconciliation. In that connection, we believe that the Secretary-General's dispatch of a special envoy to Burundi is a positive initiative. We consider also that the efforts of the Secretary-General of the Organization of African Unity and the States of the region will enable us to do useful work to that end. Finally, we hope that close cooperation will be established between the United Nations and the Organization of African Unity in order to achieve a solution as soon as possible to the present crisis in Burundi.

My country will therefore support the draft resolution before the Assembly.

Mr. BIZIMANA (Rwanda) *(interpretation from French):* At the outset, I wish on behalf of the Government and the people of Rwanda again to convey our heartfelt feelings of sympathy and solidarity to the brotherly people of Burundi in connection with the tragedy that has followed in the wake of the military *coup d'état* perpetrated in the night of 20 to 21 October 1993.

I cannot fail to thank you, Sir, and through you the General Assembly for having agreed to the urgent inclusion in the agenda of an item devoted to the alarming situation in Burundi.

When it learned on the morning of 21 October 1993 of the ignoble action aimed at overturning the institutions that had emerged from the free, democratic elections of June this year, the Government of Rwanda immediately and forcefully condemned this reactionary forcible seizure of power. We appealed to the international community to condemn unreservedly that act which has slowed the democratic process under way in Burundi and throughout Africa, and to take whatever steps were necessary to help the people of Burundi restore the democratic institutions that had been jeopardized by the coup.

The ordeal the people of Burundi is now experiencing and this negation of the primacy of law through this blatant violation of the very foundations of modern society constitute, in our view, a source of concern to all the nations gathered together here in the General Assembly. That concern is all the greater since this attempt to take power illegally, forcibly and anti-democratically in Burundi has been accompanied by a terrible toll in human life, yet uncounted, including the vile murder of His Excellency President Melchior Ndadaye and other political and judicial leaders and of many innocent civilians. Another intolerable result has been the displacement of thousands of persons within the country and of refugees into neighbouring countries.

Rwanda is a neighbour of Burundi and its people are closely linked to the people of Burundi by ties of blood. We are therefore particularly affected by the current situation there. We are absolutely convinced that supporting the efforts being made to restore peace in Burundi not only would be in the interests of that country but also would meet the concerns of our region, including my own country, which is harbouring over 350,000 refugees from Burundi, who have fled their country since 21 October 1993.

For Rwanda, instability in Burundi poses a threat to the peace process set in motion by the Arusha Peace Agreement signed on 4 October 1993 between the Government of Rwanda and the Rwandese Patriotic Front. Hence, we reiterate the firm commitment of the Government of Rwanda to the implementation of the Arusha Peace Agreement and to the democratic process under way in Rwanda; at the same time, in the face of this new situation, we stress the need to consolidate the machinery provided for in the Peace Agreement, in order to maximize the chances of success for the peace process in Rwanda.

If peace, harmony and stability are to be restored in Burundi, vigorous regional and international action must be taken. On the regional level, let me inform the Assembly of the results of the 28 October 1993 summit meeting held at Kigali at the invitation of the President of the Republic of Rwanda. Along with the Head of State of Rwanda, the other participants were the First Vice President and Prime Minister of the United Republic of Tanzania, the Prime Minister of the Republic of Zaire and the Prime Minister of Rwanda; also present were a special representative of the President of the Arab Republic of Egypt, current Chairman of the Organization of African Unity (OAU), and, as an observer, Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity. At the summit, the representatives of those countries and the representative of the Organization of African Unity reiterated their condemnation of the military *coup d'état* against Burundi's democratic institutions as running absolutely counter to the development of democracy on the African continent. The summit reaffirmed the firm commitment of the countries participating and of the OAU to do everything possible to assist in the restoration of security and legality in Burundi. Specifically, the Kigali summit stressed the urgent need for the United Nations, in consultation with the Organization of African Unity, to set up an international force to restore confidence and security in Burundi. It appealed to the international community to take concrete measures to put an end to the massacre of innocent people in Burundi and to help the people of Burundi to put a final end to its recurring tragedies. It also appealed to the international community to provide urgent assistance to the hundreds of thousands of refugees in countries around Burundi and to displaced persons within the country.

Rwanda is therefore pleased today to hail the collective commitment demonstrated by the international community in the draft resolution before the Assembly today. That draft resolution, if adopted and effectively implemented, will manifest our common determination to help the people of Burundi restore peace and order. The international community must not leave the field open to the perpetrators of the coup, who are greedy for power. To stop the suffering and sacrifices endured by the people of Burundi, the United Nations must act, and act swiftly and effectively. Rapid action by the Organization would show that it is urgent to stop the blood-bath and put an immediate end to the confrontations and threats and intimidation to which the people of Burundi are subjected.

We must act effectively also to ensure that those who have usurped power in Burundi are thrown out of office and that the people of Burundi will be given the reliable and, above all, lasting guarantees provided by an army and new security structures established on a basis that would make all sectors of Burundi's society feel confident.

In that context, the Government of Rwanda considers that the statement adopted by the Security Council on 25 October 1993 condemning the *coup d'état* in Burundi must be followed up by concrete, urgent action to stabilize the situation in that country. That is why, mindful of the gravity of the situation in Burundi, which has adverse regional consequences and is even a threat to international peace and security, and mindful of its disturbing humanitarian implications, my Government urges the international community, and the Security Council in particular, to follow up on the recommendations of the Kigali summit by taking urgent measures to help the people of Burundi regain peace and security and restore legality and constitutional order in their country.

Mr. Bull (Liberia), Vice-President, took the Chair.

Hence, our Organization has the immense responsibility of finding urgently a lasting solution to the situation in Burundi. If we do not act immediately, we put at risk the hope engendered by the democratic process in all nations of the world that cherish peace, justice and democracy.

I can assure the Assembly that Rwanda will spare no effort and use every ounce of its energy to help restore peace and democracy in Burundi.

Mr. GELBER (United States of America): The United States strongly supports the African initiative to condemn the action by elements of the military against the democratically elected Government of Burundi. We have demanded and continue to demand that the elected Government be restored to full power and that all elements of the military return to their barracks and submit to the authority of the civilian Government.

We note with satisfaction that the coup attempt has apparently failed and several suspected coup plotters have been arrested or have fled the country. Prime Minister Kinigi and other members of the cabinet have taken important measures to reassert control over the country. We applaud the bravery of the Prime Minister, the Foreign Minister and other Government officials who have persevered throughout the crisis and are now working to consolidate the government's control over the situation.

The United States joins the rest of the world in condemning the murder of President Ndadaye and other high Government officials. This reprehensible action violates the most fundamental principles of law and morality. We extend our sincere condolences to the late President's wife and family and to the families of those who were killed or injured or who have disappeared.

The United States reiterates its demand that those responsible for perpetrating the action against the Burundi Government reveal the whereabouts and fate of all Government officials and others who may have been taken prisoner or disappeared during this action. We support the Government's right to prosecute to the fullest extent of the law those responsible for murder, rebellion and other offences against the Government and the people of Burundi.

We are shocked and deeply saddened by the violence and mounting casualties in Burundi. We urge all sides to refrain from violence and respect the authority of the elected Government.

We salute the freely elected Government and the people of Burundi who remain committed to consolidating their country's democracy. The adoption of our draft resolution today will send a clear signal to all that the international community is unanimous in its support of Burundi's democratic transition and will condemn any attempt to reverse it.

Mr. SAMASSEKOU (Mali) *(interpretation from French)*: The Government of the Republic of Mali learned with acute concern of the putsch carried out in Burundi on 21 October by a military group against the country's democratic institutions. This challenge to that country's established order is a blatant act of defiance of the legitimate aspirations of the people of Burundi to democracy and is also a threat to all new democracies and to all peoples who are fighting for democracy.

The election last June of President Melchior Ndadaye, which crowned the democratic process in Burundi, was hailed by the entire world. The people of Burundi have proven their deep commitment to democratic principles and their readiness to forge their own destiny by turning out *en masse* for the various elections organized during the transition period, elections deemed free, democratic and transparent by the international community.

Unfortunately, the people of Burundi now sees itself stripped of its right to determine freely its future. This situation has already engendered death and hatred and has forced thousands of people into exile.

The reaction of the people and the Government of Mali, concerned about respect for law and democratic legitimacy, was not long in coming. In a declaration issued on 21 October 1993, my Government voiced its acute concern over the military coup, which brought about, on the one hand, the rupture of the democratic process in Burundi and, on the other, the overthrow of the Government and of the legitimate institutions of the country. The Government of Mali condemned this unacceptable situation and invited all the political forces of Burundi to give priority to dialogue with a view to restoring respect for the legal status of the Republic and to reinstating the democratically established institutions. The Government and the people of Mali also voiced their solidarity with all the democratic forces that, stood up against this situation of *fait accompli* in many cases making the supreme sacrifice.

In addition, the Bureau of the National Assembly of Mali, when it met on 21 October, on behalf of all Malian parliamentarians, vehemently protested the situation and unreservedly condemned the military *coup d'état* in Burundi, while declaring its unwavering support for the legitimate Government and democratically elected Parliament of Burundi. The communiqué issued after that meeting reads as follows:

> "The Bureau of the National Assembly learned with consternation of the *coup d'état* that took place today, 21 October, in Burundi against the people and democratic institutions of that friendly country
>
> "In the face of the upsurge of perils threatening democracy in general and in Burundi in particular, the Bureau of the National Assembly on behalf of all Parliamentarians, voices its vehement protest.

"The National Assembly unreservedly condemns the military *coup d'état* in Burundi; declares its unwavering support for the legitimate Government and the democratically elected Parliament in Burundi; urgently appeals to the Union of African Parliaments, the Inter-Parliamentary Union and all interparliamentary institutions to support the Parliament of Burundi in its ordeal; and invites the international community to use international coercive machinery against the putschists, as has been done in the catastrophic case of Haiti, so as to restore to power those who were given power through the will of the sovereign people of Burundi."

Mali's Head of State, for his part, brought the matter before the current President of the Organization of African Unity (OAU), the Secretary-General of the United Nations and the current President of the Conference of French-speaking Countries so that they might envisage whatever radical measures are required by circumstances to restore legality, reinstate all democratic institutions and put an end to the civil war in Burundi.

Since the events of 21 October, the situation in Burundi has deteriorated. Over 10,000 people have been killed, and 600,000 have fled to neighbouring countries, particularly to Rwanda. Even as we speak, massacres are continuing. Members of Burundi society are killing each other. This genocide must be stopped.

The international community must be mobilized, along with the democratic forces within Burundi, to restore democracy and legality. The Government of Mali feels that the following urgent steps must be taken by the international community: reaffirmation of the condemnation of the military *coup d'etat* in Burundi; the total isolation of those who carried out the putsch, through the imposition of political and economic sanctions; the dispatch of a United Nations peace-keeping force, composed mainly of Africans; the provision of humanitarian aid to help displaced persons and the civilian victims who remain where they were.

The events in Burundi cry out to the conscience of the entire international community at a time when Africa must better equip itself to face the continent's many problems.

Mr. MONGBE (Benin): Allow me first, on behalf of the delegation of Benin, to thank the President of the General Assembly, Mr. Samuel Insanally, for his diligence in organizing on Friday 29 October last the moving ceremony during which the General Assembly, which he is leading with such wisdom, paid an impressive tribute to the late President Melchior Ndadaye.

The night from 20 to 21 October 1993 was a long one for Burundi, Africa and the civilized world, that is, the world of democratic forces. It was with great shock and indignation that we learned in the early hours of 21 October 1993, by radio transmissions and the reports of news agencies, the surprising news of the shameful military *coup d'etat* which had taken place in Bujumbura.

For an entire day we laboured under the illusion that those responsible had enough human feeling and decency to spare the lives of the political authorities they had arrested at the time of their unexpected crime. But, alas, our astonishment grew even greater and our indignation turned to disgust when we received details that were even more grim than the news we had learned on the first day: former political figures who had been granted amnesty assassinated in cowardly fashion the authorities the people of Burundi had in full sovereignty elected, in free, transparent and democratic elections, in June 1993 - the first elections this fraternal country held had ever in the 31 years since it gained its independence.

The President and Vice-President of the Republic, the President and Vice-President of the National Assembly, the Minister of the Interior, the Head of the Presidential Security Service and the wife of the Minister for External Affairs and her baby were among the victims cruelly cut down by those responsible for the putsch. This barbarous act, reminiscent of another age, cynically perpetrated by military figures motivated by some unknown demon, cannot leave any human being indifferent. This is why the international community unanimously condemned the putsch,

"which could be a regrettable brake to the progress of the sister Republic of Burundi and an obstacle to the establishment of a state of law for the people of Burundi",

as was stated in a communiqué issued by the Government of Benin when it learned this incredible news.

The fact that this incident was condemned by all African Governments and by the Organization of African Unity shows the progress that democracy has made on the continent. The time has passed when a few adventure-hungry corporals or a handful of ambitious and arrogant officers, thinking they had magic cures for the real problems of the African people, seized power by force of arms.

Africa must not turn its back on history. It must henceforth understand that the way to its economic and social development, and consequently its good health, is the difficult but noble path of democracy. Those

responsible for the putsch of 21 October 1993 wished to turn the history of the people of Burundi around, taking it in the opposite direction from the welcome progress of the people of South Africa.

The delegation of Benin must therefore reiterate here its Government's stern condemnation of the military *coup d'etat* in Bujumbura:

> "The Government and people of the Republic of Benin deplore the fact that, at a time when Africa, and especially sub-Saharan Africa, is called upon by history to take up the challenge of political, economic and socio-cultural development, anachronistic concerns are tainting the hopeful prospects of the people of Burundi and opening up a new era of violence, exclusivity and insecurity instead of democratic security, the first requirement for development.
>
> "The Government and people of the Republic of Benin urge the army of Burundi to respect the freely expressed choice of its people, of all ethnic groups combined, and to understand that its interests can be served only through democracy and mutual respect among all members of Burundi's society, for under democracy and a state of law any form of minority may make itself heard and have its rights respected.
>
> "The Government and people of the Republic of Benin affirm the irreversibility of African democracy and urgently appeal to all democratic forces the world over to take every appropriate step to restore the rights and freedoms of the people of Burundi."

My delegation joins the Ambassador of Algeria, Chairman of the Group of African States for the current month, who has just spoken on behalf of the Group in support of the draft resolution (A/48/L.16), introduced by the Ambassador of Burundi, in asking for the understanding and unanimous backing of the General Assembly, which are necessary for concrete and urgent action to assist the people of Burundi.

My delegation urges the international community to bear in mind that the revival of the demons of inter-ethnic extermination in Burundi and the uncontainable flow of tens and even hundreds of thousands of refugees into neighbouring countries will not serve to guarantee peace and security in Central Africa.

The delegation of Benin welcomes the declaration by the President of the Security Council, condemning the violent *coup d'etat* carried out by the perpetrators of the putsch in Burundi, and the prompt dispatch of a high-ranking envoy to Bujumbura by the Secretary-General of the United Nations to find a solution to the confusion reigning in that capital.

We highly appreciate the visit by the Secretary-General of the Organization of African Unity to Burundi and warmly thank the French authorities who courageously saved the lives of members of the legal Government of Burundi, including the Prime Minister, by offering them asylum and protection at the French Embassy in Bujumbura. The Benin delegation wishes to express its sincere respect for may all the diplomatic missions in Bujumbura that took in and protected peaceful citizens of Burundi who were in danger of being cut down by the perpetrators of the putsch.

In conclusion, my delegation believes that the best tribute the General Assembly could pay to President Ndadaye and his companions, who died for democracy and human dignity, would be to adopt without a vote the draft resolution, which unreservedly condemns the coup demands that the perpetrators lay down their arms - we hope that they will be brought to justice; requests emergency humanitarian assistance - to help refugees and displaced persons; and demands the immediate restoration of democracy and the constitutional regime.

The PRESIDENT: I should like to propose that the list of speakers in the debate on this item be now closed.

It was so decided.

The meeting rose at 1 p.m.

United Nations
GENERAL ASSEMBLY
FORTY-EIGHTH SESSION

Official Records

48th PLENARY MEETING

Wednesday, 3 November 1993 at 10 a.m.

NEW YORK

President: Mr. INSANALLY (Guyana)

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 127 *(continued)*

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (A/48/414/Add.8)

The PRESIDENT: In a letter contained in document A/48/414/Add.8, the Secretary-General informs me that, since the issuance of his communications dated 21, 24, 27 and 29 September and 4, 6, 11 and 14 October 1993, the Comoros has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 30

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

(a) REPORT OF THE SECRETARY-GENERAL (A/48/448 and Add.1)

(b) DRAFT RESOLUTION (A/48/L.14/Rev.1)

The PRESIDENT: I call on the representative of Cuba to introduce draft resolution A/48/L.14/Rev.1.

Mr. REMÍREZ DE ESTENOZ BARCIELA (Cuba) *(interpretation from Spanish)*: Once again, Cuba had hoped that the reasons for the discussion and consideration of this item would have disappeared. But this is not so. Today, one of the longest-lasting injustices of modern history continues to be committed against Cuba. This is something which, without any doubt, deserves attention here in the United Nations.

Less than a year ago, the General Assembly, in resolution 47/19, stated the need to put an end to the economic, trade and financial embargo which has been imposed by the Government of the United States against Cuba for more than 30 years. In so doing, it took account of the extraterritorial effects of laws and regulations promulgated and applied by the United States. It considered the matter an act of aggression by an economic, military and technological Power against a small country - an act contrary to the rules of international law and to the principles enshrined in the Charter of the Organization. It also noted the severe impact of these actions on the Cuban people.

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Despite the explicit will of the international community, the Government of that major Power has nevertheless moved to promulgate, apply and strengthen laws and measures relating to the embargo that had been rejected by the General Assembly.

In the last 11 months, we have witnessed legislative, regulatory, covert and defamatory actions - even acts of coercion and blackmail - against third countries, as part and parcel of a broad plan of aggressive actions by the United States against Cuba.

The so-called Torricelli Act, strongly condemned by delegations that participated in the debate last year and rejected in official statements by many countries and groups of countries, still remains in force in the United States legal system; it is already being applied in accordance with regulatory provisions.

It is common knowledge that on 4 July, the Government of the United States instructed federal agencies to adopt all measures on extraterritoriality, in keeping with the so-called Torricelli Act.

Official documents of the General Assembly describe the promulgation of new legislation by the United States Congress to make a country's eligibility to receive assistance from the United States predicated upon its economic relations with Cuba, in spite of the legitimate and sovereign rights of countries, as established by international norms. Such an extension of the extraterritorial application of the embargo can be seen in the clauses adopted on 16 June by the House of Representatives in the Foreign Aid Authorization Act of 1993.

With these procedures, the Washington Administration has further expanded the extraterritorial character of its economic measures against Cuba which infringes upon the sovereignty of third countries and the right to enjoy freedom of trade and navigation guaranteed under international law.

The Cuban delegation has reported on a number of specific actions demonstrating that, because of the embargo, important economic transactions between Cuba and third countries have been hindered. The need for discretion has prevented us from divulging all available information. Nevertheless, information officially and unofficially circulated confirms that there are many actions of this kind violating the established principles of sovereignty, freedom of trade and navigation, and transgressing other internationally recognized legal regulations.

It is not only the essence and the extraterritoriality of this policy but also its impact on the life of the Cuban people that should be rejected and condemned by the international community. It is difficult to understand that there could be a passive attitude to this policy when what is involved is the very survival and future of millions of people, including children, whose only crime is to have been born in a country determined to be free, independent and master of its own fate.

The United States Government has tried to create the impression that the so-called Torricelli Act is easing the embargo and its impact on the Cuban population. It has publicly lied about alleged attributes of the Act facilitating humanitarian assistance and mitigating other aspects of the embargo. But we have provided delegations with sufficient examples of the economic and social impact of the Torricelli Act that prove the contrary.

There are documents demonstrating persistent attempts by the United States to prevent Cuba from buying medicines that are scarce in the country. The restrictions impeding the sale of medicines to Cuba by United States companies are being maintained. Similarly, the obstacle preventing any company from any part of the world from selling to Cuba either medicine, equipment or medical supplies having components or using technology of United States origin remains in place.

This past June, representatives of the United States Government recognized that applying this legal instrument has resulted in a 15 per cent increase in the cost of Cuba's foreign economic relations.

It is paradoxical that the stronger the rejection of this embargo on the part of Governments, men and women, official and non-governmental organizations reflecting the most diverse strata of human thought, including wide sectors of United States society, the more persistent the United States Government is in its resolve to maintain, in absolute isolation, this anachronistic policy against my people.

The Secretary-General himself has pointed out in his report (A/48/448) that over 120 non-governmental organizations have written to the Secretary-General urging an end to the embargo. This does not include the tens of thousands of letters sent by people from all over the world also calling for an end to the embargo.

Clearly, the fact that the cornerstone of United States foreign policy on Cuba is an economic embargo causing suffering for almost 11 million human beings is something that people reject. There are no pretexts, there can be no reasons justifying this crime or exonerating those

responsible for it. One wonders why common sense, initiative or pragmatism have not prevailed here.

Over the years, many different arguments have been used to try to justify the embargo, some of them completely in contradiction to the principles which gave birth to this Organization and many of them contradicting each other. Each and every one of those arguments has been refuted or disproved time and again, and the international community has enough information available to it on this issue to draw its own conclusions.

A year ago, the United States Government, attempting to defend its position here in the Assembly, used four pretexts.

First, it alleged that the embargo is a response the nationalizations carried out by Cuba 33 years ago. Nationalization was also carried out by many other third-world countries in their endeavour to achieve economic independence. The truth is that the United States, unlike the other countries affected by nationalization, refused to accept or even to negotiate the compensation terms offered by the Cuban Government since 1960.

Secondly, the United States claimed this was a matter to be dealt with in bilateral relations between the United States and Cuba. Nothing is further from the truth. What this is all about is unilateral aggression by the United States affecting relations between Cuba and third countries, thus hindering the natural development of international relations, curtailing the legitimate rights of third countries and threatening the peace and security of a sovereign State Member of this Organization.

Thirdly, it was asserted that the blockade is being applied with the aim of bringing about in Cuba political and economic reforms to the liking of the United States, as if that were a legitimate reason to use hunger and misery in an attempt to suffocate our people. Obviously, there is no legal principle or political standard that can justify that purpose.

Finally, the United States delegation stated that the problems facing Cuba today derive from internal causes that have nothing to do with the blockade. But all delegations have sufficient information to understand what the blockade costs the Cuban economy and Cuban society. It has been shown that not a single economic or social aspect of our situation escapes the consequences of the blockade; that is, after all, the declared objective.

In addition to the blockade, Cuba is facing other challenges in its development struggle. The dramatic and unexpected rupture of its traditional foreign economic links, the need to make changes to insert Cuba into a changing and inequitable world economy, and underdevelopment itself, all add to the difficulties my country is facing. But of all those factors the only one that continues to exist because of the will of another Government whose declared objective is to harm us, and the only one that could be made to disappear by a political act, is the economic blockade.

If the United States authorities are so sure that our problems are internally created and inherent to our country, then why do they continue and even strengthen the blockade? Let the will of the international community prevail; let the blockade be lifted; let Cuba evolve by itself, in peace, under the same rules and with the same freedom of action as any other State.

Cuba has taken the sovereign decision to carry out broad and profound transformations that will open up our economy, with a view to its full reinsertion into the international market and international economic relations. That process has preserved and always will preserve the independence of our country and the enormous social achievements attained since 1959.

My people hopes to achieve its aspirations without pressure or blackmail, to ensure the future of our country, including normal relations with all States without exception. It is therefore critically important to eliminate the major obstacle to this process.

We hope that a new United Nations decision on this matter will lead to increased awareness of the current unjust policy against Cuba and help put an end to it. For, tomorrow, such a policy could become an instrument of coercion against any other small and underdeveloped State.

Hence, we have submitted a draft resolution promoting principles recognized by almost all States represented here. The draft resolution is contained in document A/48/L.14/Rev.1, which we are honoured to introduce, and which has been duly issued in all the official languages of the Organization. We are confident that it will be adopted by this Assembly.

Everyone is well aware of the special nature of our consideration of this item. It is no secret that pressure has been exerted on sovereign Governments not to commit their vote in favour of a cause that is so clearly a just one.

The decision to be taken today by the General Assembly is fundamental to the very essence of the United Nations, as it pertains to the principles that constitute the foundation of the Organization. This decision is of vital

importance for mankind, since it is inextricably linked to a nation's right to life, independence and existence itself.

Mr. SARDENBERG (Brazil) *(interpretation from Spanish):* I have the honour of addressing the General Assembly in my capacity as Secretary *Pro Tempore* of the Ibero-American countries.

The 21 Ibero-American countries have a long-standing tradition of respect for the principles and rules of international law and for the sovereignty of States. Those are the principles that guide the Ibero-American countries in their consideration of the draft resolution that has been submitted under agenda item 30. Extraterritorial elements of recent national legislation have given rise to serious concerns; these concerns stem primarily from the restrictions imposed on the basic principles of freedom of trade and navigation, principles that are articulated in many international legal instruments.

The text of the Final Document of the third Ibero-American Summit of Heads of State and Government, held at Salvador, Brazil, on 15 and 16 July 1993, has been annexed to document A/48/291. It reflects the full commitment of the Ibero-American countries to building an international community in which cooperation will prevail over confrontation. In that document, the Ibero-American Heads of State and Government noted

> "the resolutions recently adopted in international forums on the need to eliminate the unilateral application of economic and trade measures by one State against another for political purposes." *(A/48/291, annex, para. 68)*

The Ibero-American countries have consistently favoured the creation of a climate conducive to overcoming differences. It is our sincere hope that the current international trends towards dialogue, understanding and cooperation will prevail over long-standing differences. To that end, a climate of mutual respect and full compliance with the rules of international law would certainly contribute to strengthening peace and harmony between nations.

Mr. TELLO (Mexico) *(interpretation from Spanish):* The criteria guiding Mexico's international activities and the value we attach to them can be understood only in the context of our historical experience as a nation. The struggle to achieve, consolidate and defend our independence has led us to attach key significance to sovereignty.

We have been and remain a nation dedicated to broadening and deepening our ties of friendship and cooperation with all the peoples of the world. We are convinced that dialogue, concerted action and negotiated political settlement are the best possible means of achieving understanding. The legal equality of States, the self-determination of peoples, non-intervention in internal affairs, and respect for sovereign rights are the basic principles of international coexistence and remain fully valid.

The principles of international law are also the mainstays of the Charter of the United Nations, an organization born of a legitimate collective desire to place international relations within a framework of rationality, order and legality. The rule of law is the basis on which the coexistence of nations is governed.

As is true for all nations, it is solely up to Cuba and its people to define their own paths towards higher and better states of development. We recognize the efforts that have been made to modernize their methods of work and structures with a view to their integration into the new trends in the world economy. At the same time, we are neither unaware of nor insensitive to the Cuban people's increasing difficulties as regards health and nutrition.

Even amid countless contradictions and uncertainties, a new atmosphere of understanding is struggling to emerge following the end of the cold war. Agreements that were once unimaginable are now sealed with a handshake. This is the path to which we must pledge ourselves.

Adherence to international law is the only way to guarantee peaceful coexistence among countries. The observance of multilaterally accepted norms gives certainty to relations between States, just as it gives peace and coexistence their best possible framework for development.

For these reasons, my Government will vote in favour of the draft resolution contained in document A/48/L.14/Rev.1.

Mr. KITTIKHOUN (Lao People's Democratic Republic) *(interpretation from French):* On 24 November 1992 this Assembly adopted resolution 47/19, on the necessity of lifting the economic, commercial and financial embargo imposed against the Republic of Cuba. Following the adoption of that resolution, more than 30 sovereign States solemnly declared that they had taken no legislative or normative measures of the type mentioned in the resolution. The legitimacy of the cause stirred great hopes that the resolution would be fully implemented by all the States Members of our Organization. However, to my delegation's great regret, the embargo against the Republic of Cuba has been reinforced this year.

The Lao People's Democratic Republic considers that the embargo has a great impact on the standard of living of the vast majority of the Cuban population and, above all, that it would not contribute in the least to the Cuban people's efforts to integrate their country more fully into international economic structures. In view of its obligations under the United Nations Charter and international law, my country, the Lao People's Democratic Republic, has never promulgated or applied laws or measures of the type mentioned in draft resolution A/48/L.14. In our view, such measures constitute an attack on the sovereignty of other States and on freedom of commerce and navigation.

In this new era, when the spirit of cooperation between States holds sway, it would be more than prudent for the two countries concerned to enter into negotiations based on the principles of equality and mutual respect in order to resolve peacefully their differences, which date back more than 30 years. That dialogue, for which we earnestly appeal, would not only be in line with the trend prevailing in the world today but would also respond to the wishes of their two peoples.

The delegation of the Lao People's Democratic Republic sincerely hopes that this question will be resolved swiftly, fairly and honourably, with due account taken of the legitimate interests of the two peoples and in the interest of regional and world peace.

The PRESIDENT: I should like to propose, if there is no objection, that the list of speakers in the debate on this agenda item now be closed.

It was so decided.

Mr. NGO QUANG XUAN (Viet Nam) *(interpretation from French):* First of all, on behalf of my delegation, I should like to thank the Secretary-General for the report (A/48/448 and Add.1) that he has submitted in accordance with resolution 47/19, adopted by the General Assembly at its forty-seventh session, in respect of the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

In the debate on this agenda item, the delegation of Viet Nam would like first to reaffirm that Viet Nam's foreign policy has always been guided by the fundamental principles of relations between States, in accordance with international law and the United Nations Charter, to wit: respect for national independence, sovereignty and territorial integrity; respect for the right to self-determination, including the right to choose one's own path of development; non-interference in the internal affairs of other States; and the political will to settle disputes through peaceful negotiations.

Secondly, we wish to express our deep concern on seeing one country impose its will on another. In the view of our delegation, such an imposition not only jeopardizes relations between nations but also runs counter to the spirit of the world's new era, in which development, equality, justice, peace and democracy should prevail.

The end of the cold war, the passing of the East-West confrontation and the strong trend towards democratization of relations in and among States have opened the way to new hopes for living in peace, for mutual understanding and for cooperation between nations.

This new international political climate has strengthened the determination to use peaceful negotiations to find solutions to persistent military conflicts as well as to the differences and disputes inherited from the past. Significant success has been achieved in certain regions. In our view the same approach could be applied in the quest for a reasonable and fair solution to the question of relations between Cuba and the United States. The resumption of dialogue between those two countries could make it easier to solve the outstanding problems in conformity with the principles of international law and the United Nations Charter.

The delegation of Viet Nam believes that it is not right that relations between Cuba and the United States have not yet been normalized, after more than 30 years. It is even more regrettable that at present these relations are subjected to new trade restrictions. These restrictions are affecting not only the interests of Cuba but also the interests of a number of other countries, as is indicated in the Secretary-General's report. Many countries have, in different ways, expressed their concern about the adverse effects of the Cuban Democracy Act of the United States on their trade interests.

In this spirit, the international community has made repeated appeals in this regard. The Non-Aligned Movement, of which Viet Nam is a member, has at many meetings repeatedly asserted that the use of force in inter-State relations and the application of laws and measures which have extraterritorial effects are inadmissible. The Tenth Summit of the Movement, held in Jakarta in 1992, also addressed an appeal to the United States to end the economic, commercial and financial blockade of Cuba, and urged the two countries to enter into negotiations in order to resolve their dispute.

In conclusion, I wish to express our firm conviction that this discussion today and the draft resolution presented

by Cuba for the consideration of the Assembly reflect the interests of all States Members of the Organization.

Mr. WISNUMURTI (Indonesia): I deem it an honour to deliver this statement on behalf of the non-aligned countries.

It is with deepening concern that we have noted the differences between Cuba and the United States which have persisted for over three decades. Since last year the relationship has further deteriorated due to the promulgation of national legislation with extraterritorial dimensions. Consequently, Cuba is facing an economic crisis of unprecedented proportions.

With the Cuban economy already reeling from the fundamental changes that have swept Eastern Europe and a drastic cut-off in aid, the unrelenting hostility has heightened tension in the region. Further aggravating the situation is the imposition of an embargo on trade which seeks unilaterally to restrict economic and commercial relations to the detriment of the interests of many Member States. Punitive economic measures have profoundly affected the living conditions of the people of Cuba and severely impeded their development efforts. We are concerned that the continuing pressure and isolation is fraught with potentially disastrous consequences.

In the context of the interdependence of nations and interlinkage of issues, the strengthening of international cooperation for development has now become an imperative. We share the widely expressed view that in the post-cold-war era, no nation should be deprived of the opportunity to participate freely and without hindrance in economic, commercial and financial relations between nations. To erect barriers in this regard is incompatible with the objective of establishing a new and equitable international order for stable peace and common security and for economic and social justice.

We are gratified to learn from the report of the Secretary-General in document A/48/448 and Add.1 that many Member States have refrained from adopting laws or measures to strengthen or extend the embargo in question.

Cuban-American relations call for a new and fresh approach taking into account the profound transformation that has taken place on the global scene, including the Latin American region, where we have witnessed an end to conflict, the strengthening of security, and political, economic and social development. In this context, the repeal of the law adopted last year would facilitate the reintegration of Cuba into regional and international economic life, leading ultimately to the stability of the region. It would also be in conformity with the United Nations Charter, the principles of international law and the sovereignty of nations. At this juncture, we cannot turn away from those precepts and norms.

We hope that renewed consideration of this item and broad support for the draft resolution during this session will spur the parties concerned to resolve this issue through dialogue and negotiation which will promote economic and social advancement in an atmosphere of peace and tranquillity.

Mr. ELHOUDERI (Libyan Arab Jamahiriya) *(interpretation from Arabic)*: Economic blockades and similar coercive measures which some States see fit to impose on other States are among the causes of tension in international relations. They also run counter to the principles of international law and the relevant United Nations resolutions, including General Assembly resolutions 38/197, 39/210, 40/185, 44/215 and 46/210.

In those resolutions the General Assembly called upon all Member States to refrain from threatening to impose or imposing trade restrictions, blockades, embargoes or any other economic sanctions against developing nations, as such measures run counter to the provisions of the United Nations Charter and breach multilateral and bilateral undertakings.

Article 32 of the Charter of Economic Rights and Duties of States, which was adopted by the General Assembly at its twenty-ninth session, states that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights. In that connection, the seventeenth Ministerial Meeting of the Group of 77 held here in New York last month called upon States to refrain from taking economic measures against developing countries and from employing such means to coerce other States.

General Assembly resolution 47/19, adopted by the Assembly at its last session, was based on that global consensus, which clearly demonstrates the international community's clear rejection of the coercive approach in international relations. Resolution 47/19 clearly reflects the international will that States resolve their disputes in compliance with the purposes and principles enshrined in the Charter and the norms of international law. The resolution urges States that have such laws and measures to take the necessary steps to repeal or invalidate them.

The adoption of resolution 47/19 gave rise to new hope for new prospects of ending the economic, commercial and financial embargo against Cuba. Nearly a year has passed since the resolution was adopted, and yet

all available indications give the impression that no steps have been taken to respond to its provisions. To the contrary, such indications show conclusively that the policy of pressure, embargo and boycott continues to be pursued and that there is renewed determination not only to keep it in place but also to enforce it more vigorously. This was highlighted by the Foreign Minister of Cuba in his statement to the General Assembly on 4 October 1993, wherein he indicated that his country was facing yet more pressures and that the past few months have witnessed a tendency to keep the existing blockade in place and to step it up.

The economic, commercial and financial embargo that has been in place against Cuba for more than 30 years now has had dire consequences for the Cuban people. As indicated in document A/48/463, the embargo has had an extremely negative impact on Cuba's economic and social development, and especially on the population's standard of living.

My delegation well understands the consequences of such embargoes, for we in Libya continue to suffer under similar measures which have been imposed upon us for more than a decade and which continue to be in place. The serious consequences of those measures have been exacerbated by the sanctions imposed on the Libyan people by Security Council resolution 748 (1992), for reasons that are not commensurate with the legal dispute between the Libyan Arab Jamahiriya and the other three States.

Respect for the sovereignty States and non-interference in their internal affairs, the promotion of dialogue, the avoidance of confrontation and the resolution of disputes by peaceful means in conformity with the norms of international law and international conventions are the fundamental principles upon which we may hope to build an international community wherein justice, equality and fairness would prevail. My delegation feels that such positive tendencies which should have been strengthened as a result of the changes that have taken place in international relations should become all-embracing and should induce countries to refrain from resorting to the sort of political and economic measures of coercion that are being used against Cuba and other States in pursuance of political designs. Should the countries concerned respond positively to this call, they will not only help promote global economic growth but will also strengthen the underpinnings of constructive international cooperation and thereby usher in an era of friendly relations that would promote peace, security, confidence-building, tranquillity and cooperation amongst all peoples of the world.

Mr. NYAKYI (United Republic of Tanzania): Allow me at the outset to associate my delegation with the statement made a short time ago by the representative of Indonesia speaking on behalf of the States members of the Movement of Non-Aligned Countries.

In my own additional remarks I should like to begin by expressing my delegation's appreciation of the Secretary-General's report (A/48/448 and Add.1) of 28 September 1993, which contains the replies of Member States concerning the implementation of General Assembly resolution 47/19. The report is both reassuring and disheartening. Of the 33 replies reproduced in the report there is not one that reports compliance with the controversial law that imposes an unjust embargo on Cuba and seeks to extend the application of United States national laws to third countries. This is reassuring, and the General Assembly should welcome this positive outcome of the Secretary-General's efforts to implement the resolution.

However, the report also contains disappointing news. Not only has the call upon Member States to refrain from promulgating and applying laws and measures of the kind imposed on Cuba been totally ignored, but new laws and measures have been introduced. Since the adoption of the resolution the scope of the embargo has been extended to cover shipping. Other measures to strengthen the embargo have also been taken at the national, as well as at the local, level. In other words, the embargo has been widened, tightened and intensified at every level.

The report also reveals attempts to influence countries and international institutions in various ways - including persuasion and intimidation - to violate the terms of General Assembly resolution 47/19. In short, every effort appears to have been made to raise the cost to third countries of economic and commercial cooperation with Cuba.

The inclusion in the embargo of medicines and medical supplies and humanitarian aid is particularly hard to understand. If there is no justification for the entire embargo, what can we say about the inclusion on its list of items that even a Chapter VII action against the most dangerous and recalcitrant regime would exempt?

The overwhelming support given General Assembly resolution 47/19 was a loud and clear rejection by the international community of the embargo against Cuba and of the pressures exerted on third countries to withhold cooperation from Cuba. As my delegation made clear in its statement on this agenda item last year, the embargo is a violation of the provisions of Article 1 of the United Nations Charter, paragraph 2 of which stipulates that the

fundamental purpose of the United Nations is the development of friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples.

To the list of General Assembly resolutions that the embargo violates, which my delegation cited in its statement last year, must now be added resolution 47/19. A State may choose which countries to trade with or not to trade with. This is its right, and it is not in dispute. But no country has a right to prevent others from engaging in lawful economic and commercial relations with countries that it does not like. Action to the contrary is a violation of international law governing the conduct of relations between States.

As many delegations emphasized in the debate on this item last year, and as many have repeated in this debate, negotiations are the only sensible way to resolve the differences between the United States and Cuba. It is the understanding of my delegation that Cuba has always expressed its readiness to meet with the United States over these differences. In this connection, I should like to use this occasion to echo the appeal to the United States - made in the general debate by, among others, the delegations of Namibia, Barbados and Guyana - to summon the necessary political will to initiate, or agree to, negotiations with Cuba. It needed Norway to do the seemingly impossible - to bring the Palestinians and the Israelis to the conference table. We need a Norway to bring the United States and Cuba to the conference table.

In the post-cold-war era the United States has been at the forefront of the international campaign for the peaceful resolution of disputes through dialogue and negotiations. It is now our duty at the United Nations to hold up a mirror in front of the United States. My delegation views this debate and the draft resolution that we are about to adopt - A/48/L.14/Rev.1, which we fully support - as the mirror that will enable the United States to take a hard look at a policy that only antagonizes friend and foe alike, and to take the only sensible route out of the dilemma - that of negotiations.

Mr. PAK (Democratic People's Republic of Korea): A year ago we discussed the same item as we are considering now, and adopted a resolution, in the hope that this issue would be resolved in accordance with the expectations of the international community. To date, however, the United States has not taken the necessary measures to implement the resolution - a point that has been made today by several representatives.

The continuous embargo against the Cuban people is creating enormous economic difficulties and is putting serious constraints on Cuba's social and economic development. The international community cannot simply ignore the economic difficulties and material loss forced upon Cuba, a Member State of the United Nations, by the economic, commercial and financial embargo imposed by the United States, another Member State.

As is well known, for the past 30 years the United States has put pressure on Cuba with a view to foisting its own political and economic system on that country through the imposition of an economic, commercial and financial embargo. As history shows, nobody can justify the imposition of economic embargoes by big Powers against small countries irrespective of their scale or modality.

The Torricelli Act, enacted by the United States two years ago in its effort further to strengthen the economic embargo against Cuba, is aimed at forcing the will of the United States on other countries. Its adoption is a flagrant violation of the Charter of the United Nations, which stipulates the development of friendly relations between States, based on respect for the principles of equality and sovereignty, and of international law, which requires freedom of trade and of navigation. The delegation of the Democratic People's Republic of Korea considers that the United Nations should give the Act due attention and take the necessary steps.

All countries should carry out their duties under the Charter and international law, respect the right of Member States to choose their own political and economic systems and refrain from interfering in the internal affairs of other countries. In this connection, the delegation of the Democratic People's Republic of Korea reiterates its support for the final document of the Tenth Summit Meeting of non-aligned countries, which calls for the ending of the economic, commercial and financial embargo against Cuba.

The cold war has given way to a new era in which humankind is developing economic cooperation to create a free and peaceful new world community transcending differences of ideas and systems.

The delegation of the Democratic People's Republic of Korea calls upon the United States, as a member of the international community, to end the economic embargo against Cuba, imposed with a view to isolating that country politically and stifling it economically. We also call upon the United States to implement resolution 47/19, in keeping with the trend of the era.

Mr. RAHMAN (Malaysia): Malaysia fully endorses the statement of the representative of Indonesia, who spoke in his capacity as representative of the Chairman of the Non-Aligned Movement. That statement duly reflects the position taken on this issue by the leaders of the Non-Aligned Movement at their Jakarta Summit last year.

As was stated in the debate on this subject last year, Malaysia believes that the matter can best be settled between the two countries involved. At the same time, Malaysia recognizes Cuba's right to appeal to the United Nations, particularly on an issue involving extraterritoriality that impinges on the fundamental principles of international law and runs counter to a number of General Assembly resolutions adopted over the years. Malaysia believes that making international law prevail must be a fundamental commitment of all nations, irrespective of size or development status. As Members of the United Nations, we are all obliged to support the fundamental principles of international law.

The sharp edges of confrontation epitomized by two ideologically opposed blocs have given way, with the end of the cold war, to increased dialogue and cooperation in the conduct of inter-State relations as well as in multilateral diplomacy. This is evident within the Assembly itself, where more and more resolutions are being adopted by consensus. Seemingly intractable age-old problems have witnessed dramatic developments, giving rise to hope for peace, stability and development. All these have boosted international relations increasingly in the direction of cooperation and away from confrontation.

It is in the interest of upholding the principles of international law and promoting peaceful and friendly relations between nations during this important period of change in the affairs of the world that Malaysia will vote in favour of the draft resolution before us.

It is our sincere hope that the adoption of this draft resolution by the General Assembly will lead to developments that will positively influence the issue at hand and bring in its wake significant benefits to the region as a whole.

Mr. PONCE (Ecuador) *(interpretation from Spanish)*: My delegation agrees with and endorses what was said by the representative of Brazil, Ambassador Sardenberg, speaking on behalf of the Ibero-American Group on the agenda item under consideration.

My country bases its international policy on the promotion of strict respect for international law. We jealously defend the principles on which it is based, those that promote friendly and progressive relations among peoples. Accordingly, we restate our support for the non-use of coercive measures in relations among States and our approval of the draft resolution before us.

Further, Ecuador wishes to place on record its explicit support for the fundamental principle of promotion and observance of human rights, as enshrined in the Charter of the Organization, and for the regional commitment to affirm democracy. We express our hope that this system of Government will soon be broadly applied throughout our continent.

Mr. MUMBENGEGWI (Zimbabwe): Zimbabwe would like to associate itself fully with the statement made by the Permanent Representative of Indonesia in his capacity as Chairman of the Non-Aligned Movement.

The end of the cold war brought with it the end of ideological confrontation which had characterized conflicts around the world. We have witnessed the resultant easing of tensions in southern Africa, the Middle East and elsewhere around the world, where the current efforts towards the peaceful resolution of disputes were virtually unthinkable only a few years ago.

Since the present relationship between Cuba and the United States has its origins in the cold war confrontation, the international community would have hoped that the demise of the cold war would have had a more positive influence on that relationship.

Universal economic measures against any State can be imposed only by collective international enforcement action through the United Nations. In the absence of any such enforcement action, all countries should be free to carry out their economic, commercial and financial transactions freely.

Apart from these important provisions of international law, Zimbabwe is particularly concerned at the devastating effect that the economic embargo against Cuba is having on the humanitarian situation in that country. As is always the case in such situations, the principal sufferers are the most vulnerable groups, such as children, women and the elderly.

It is our hope that in the new post-cold-war climate, where confrontation is increasingly giving way to dialogue, some way will soon be found to resolve the present issue through negotiation and dialogue.

Mr. ABOLHASSANI (Islamic Republic of Iran): Today inter-State relations and interdependency among States are bound not only by freely accepted obligations but also by the generally accepted principles of

international law. The principles of sovereign equality of States and of non-intervention and non-interference in internal affairs of other States are fundamental principles of international law that form the cornerstones of contemporary international relations. Numerous international instruments, such as the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes, and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, have emphasized respect for these principles.

The continuation of the economic, commercial and financial embargo imposed by the United States Administration against Cuba, which has inflicted enormous material losses and economic damage upon the Cuban people and Government, runs contrary to the purposes and principles of the Charter and international law. We regretfully note that, since the adoption of resolution 47/19, further measures aimed at strengthening and extending the economic, commercial and financial embargo against Cuba have been promulgated and applied.

Just a few weeks ago, this body unanimously adopted its second resolution on the Secretary-General's report entitled "An Agenda for Peace", in which the General Assembly

> "***Recalls*** that each State has the right freely to choose and develop its political, social, economic and cultural systems". (*resolution 47/120 B, section V, para. 3)*

My delegation, while reaffirming this legitimate right of all people, would like to urge all States once more to abide by their obligations under United Nations resolutions and more generally by international law. It is incumbent upon the United Nations, as the largest world Organization, to do whatever it can to end the economic, commercial and financial embargo against Cuba in conformity with its Charter and resolutions in order to foster the rule of law in international relations.

Finally, it should be recalled that the peaceful settlement of international disputes has been emphasized ever since the United Nations came into existence. In meeting these expectations, all countries should refrain from acting to contravene in any way the provisions of the United Nations Charter.

Cognizant of the difficulties the Cuban nation is facing as a result of the embargo, my delegation at this juncture would like to extend its support for any step the General Assembly may wish to take regarding the issue under consideration. The international community should not remain silent in situations in which any State intends to undermine the economic or political stability of another State or to impose specific political or economic structures on it. International peace and security certainly cannot be achieved by giving legitimacy to the notion that might is right.

The PRESIDENT: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/48/L.14/Rev.1. Before calling on the first speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. NOTERDAEME (Belgium) *(interpretation from French)*: The opposition of the European Community and its member States to any extraterritorial application of national legislation is beyond question. That is why we have always rejected the United States actions aimed at involving third States in the application of commercial measures that fall exclusively within the foreign or security policy of the United States. We are therefore opposed to United States legislative initiatives, including the "Cuban Democracy Act", designed to strengthen the trade embargo against Cuba by means of extraterritorial application of United States laws. We believe that such measures violate the general principles of international law and the sovereignty of independent States.

Although we strongly favour a peaceful transition to democracy in Cuba, we cannot accept that the United States should unilaterally undermine our economic and trading relations with any country whatsoever. The European Community and its member States are of the opinion that the United States embargo against Cuba should be first and foremost a bilateral problem between the United States and Cuban Governments. The European Community and its member States will bear these concerns in mind when making their decision on the draft resolution before us.

Mr. STRAUSS (Canada): We supported resolution 47/19 last year, as it focused solely on the extraterritorial aspects of the United States embargo and thus embodied legal principles that Canada believes must be respected.

However, while the draft resolution on which we will soon vote again addresses those principles, there are additional elements that object to the primary embargo of Cuba by the United States, something upon which Canada has never commented. For that reason, Canada will

abstain. Our abstention does not signal a weakening of our opposition to inappropriate attempts to assert extraterritorial jurisdiction.

Mr. VAN DUNEM "MBINDA" (Angola): On behalf of my Government, my delegation would like to join previous speakers to speak on the item under discussion concerning the three decades of United States embargo against Cuba.

The end of the cold war constituted for all peoples a reason for hope in the new climate in international relations characterized by *détente*, cooperation, development and respect for the right of peoples freely to choose their own destiny. This hope has been consistently disappointed by factors contrary to the norms of coexistence among peoples, such as the United States imposition of an economic and financial embargo against Cuba. The imposition of this embargo is contrary to international law and the principles enshrined in the United Nations Charter, which emphasize the need for Members to refrain from adopting measures that would impair trade relations between States.

It is within this framework that my country, at the forty-seventh session of the General Assembly, supported the adoption of resolution 47/19 on the necessity of ending the economic, commercial and financial embargo imposed against Cuba, which clearly indicates the rejection of that embargo by the international community. The passage of the so-called Torricelli Act, aimed at stiffening the embargo and making other countries enforce it, not only interferes with the sovereignty of other countries but also with the freedom of navigation and international free trade.

My Government learned with great concern that, during 1993, further measures were adopted to reinforce the embargo in its extraterritorial character. This embargo, which has lasted for more than 30 years, has caused losses in excess of $40 billion, had negative consequences for the economic and social development of Cuba, and increasingly eroded the living conditions of its people, which is being gradually deprived of the most basic means of subsistence.

The repercussions of this embargo in the life of the population of Cuba are enormous. The embargo has forced Cuba to seek trading partners elsewhere and new markets for export products, incurring greater promotional and sales expenses of billions of United States dollars. Another example of how the increase of imports from abroad has led to the suffering of Cuba regards foreign vessels and sporting goods to or from Cuba. The increase in transport, freight and insurance costs amount to $6,207 million. According to the estimate given us, as a result of this chaotic situation the Cuban external debt is calculated at $70 billion. In telecommunications alone, Cuba pays $112 million.

These are just some examples of the difficult situation being experienced by the people of Cuba. It goes without saying that this financial situation as a whole has had severe repercussions on the development of Cuba's economy, and particularly on Cubans and their standard of living. We shall not touch upon the scarcities, resulting from the embargo, that affect the most important domains of health care, medicines, food, medical and non-medical equipment, the transfer of technology and supplies of other essential resources and commodities.

I should like to recall the words of Mr. Ben Gurirab, Foreign Minister of the Republic of Namibia, when he told the Assembly during this session that it was time for the conflict opposing the United States and Cuba to be resolved, and for the embargo to be brought to an end.

My delegation therefore favours a draft resolution calling for the lifting of the embargo, and hopes that, through frank and open dialogue, based on mutual respect and sovereign equality, it will be possible to reach a solution to this long conflict between the two States.

Mr. CHEN Jian (China) *(interpretation from Chinese):* The end of the cold war has further increased the ardent aspirations of the world's people for world peace and has heightened their urgent demand for the establishment of a new international order. But at the same time there are repeated instances of the use of power politics in international relations. The economic oppression and intervention against Cuba is one example, which we deplore.

We have always believed that it is a country's sovereign right to choose its own social system and path of development in line with its own national conditions; this is a right which no other country may infringe.

Countries around the world should treat each other on the basis of equality and mutual respect, and any problems that arise in inter-State relations should be settled through dialogue and negotiation, in accordance with the United Nations Charter and the norms of international law. Hegemonistic attempts to impose one's own views on others, intervene in matters which lie purely within the domestic jurisdiction of other countries and even wilfully to exert pressure on and impose economic embargoes and sanctions against other sovereign States under one's own domestic law serve nobody's interests. Instead of helping achieve a settlement of the problem concerned, they further complicate the matter.

Resolution 47/19 reiterated principles such as the sovereign equality of States, non-intervention and non-interference in other countries' internal affairs, and freedom of trade and international navigation, and called on all countries to fulfil their commitments and obligations and observe these principles and international law. This reflected the just aspiration of the international community.

Like many other Member States, we hope that countries that have implemented laws and adopted measures that run counter to those principles will take the necessary action to repeal them and instead engage in normal economic and trade activities between States.

In view of these considerations, the Chinese delegation will vote in favour of draft resolution A/48/L.14/Rev.1.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.14/Rev.1.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Andorra, Angola, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Benin, Bolivia, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominica, Dominican Republic, Ecuador, France, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Mali, Mauritania, Mexico, Monaco, Myanmar, Namibia, New Zealand, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Spain, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Albania, Israel, Paraguay, United States of America.

Abstaining: Antigua and Barbuda, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Botswana, Brunei Darussalam, Bulgaria, Canada, Chad, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Fiji, Finland, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kuwait, Latvia, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Mozambique, Nepal, Netherlands, Nicaragua, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, Singapore, Slovakia, Slovenia, Sri Lanka, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Draft resolution A/48/L.14/Rev.1 was adopted by 88 votes to 4, with 57 abstentions (resolution 48/16).

The PRESIDENT: I shall now call on those representatives who wish to explain their votes. I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. LADSOUS (France) *(interpretation from French)*: The delegation of France voted in favour of the draft resolution just adopted by the General Assembly. That vote should in no way be regarded as support for the political regime in Havana. France condemns the frequent violations of human rights in Cuba, where the authorities reject democratic and pluralistic changes although those values are recognized throughout the American continent. Through its economic policies, Cuba is to a great extent responsible for the gravely deteriorating situation in the country, which causes great suffering to its population.

Like its partners in the European Community, France believes that Cuba should, as soon as possible, go through a peaceful transition towards democracy so that the Cuban people can decide on their own Government in all sovereignty. However, France voted in favour of the draft resolution because we believe there should be respect by all for the general principles of international law, the freedom of international trade and navigation, and the sovereignty of States. In applying national legislation in an extraterritorial manner, the United States of America is violating these principles. Nothing can justify the international community's having to accept the consequences of unilateral decisions by the United States relating to bilateral relations between Cuba and the United States.

Mr. OSVALD (Sweden): Sweden voted in favour of the draft resolution just adopted. The decision to do so was motivated by the Swedish Government's position on the specific instance of legislation applying trade sanctions to Cuba. The Swedish Government is of the view that this kind of legislation with extraterritorial effects is not in conformity with the basic principles of international law.

Our affirmative vote on this resolution should not be construed as condoning the human-rights situation in Cuba, but we are not convinced that a policy of embargo against Cuba is conducive to achieving improvements in that situation. Sweden remains seriously concerned at the Cuban Government's systematic violations of certain basic human rights. We strongly urge the Government of Cuba to respect its international commitments in this regard and to cooperate with the Special Rapporteur appointed by the United Nations Commission on Human Rights. Sweden intends to revert to this issue under the appropriate item on the agenda.

Mr. MARRERO (United States of America): The United States could not vote in favour of the draft resolution introduced under agenda item 30. There is nothing the United States would like more than to see Cuba's doors opened fully to economic and political freedom, to see its prison gates swung wide to free political dissidents and to see all Cuban citizens free to speak their minds without fear of reprisal. That is our hope and our goal, and that is the goal of our embargo. Our embargo policy has not changed in more than 30 years because repression in Cuba has not changed. And it is because Cuba's repressive regime has not changed that the United States had to oppose this draft resolution.

Last year, the Castro regime cited its victory before this body as a triumph for the revolution. Members who voted for the Cuban draft resolution then probably did not intend for their votes to be distorted and construed as support for a repressive dictatorship, but that is exactly how the regime portrayed it. Unhappily, the Cuban claim of victory gave the regime an excuse not to move any closer to democracy.

We maintain our comprehensive economic embargo against Cuba in order to maintain pressure on the regime to restore freedom and democracy. If we were to alter our policy now, what then? Could we expect any corresponding changes in Cuba's political outlook? The Castro regime has frequently stated that it does not intend to change, and that this is the will of the Cuban people. But how can the will of the people be known in a country where freedom of speech is not permitted, where dissidents and other "counter-revolutionaries" are jailed, and where there are no free elections and no free press?

The United States continues the embargo because we believe we have a political and economic right to exclude as trading partners those who violate fundamental human rights and who demonstrate little respect for human dignity and the worth of the individual.

Our citizens oppose repression. Ours is a nation composed of many immigrants who fled the countries of their birth in search of freedom and democracy. These citizens are the backbone of our country. They give our nation diversity, and they give our nation strength. We have a duty to uphold the principles that led these people to our shores.

Many of our citizens have relatives still in Cuba. We learn from them of the deplorable conditions resulting from the bankrupt Government policies. These are the people we want to help. We keep pressure on the Government so that some day they may be free. At the same time, we encourage our citizens to assist them through licensed humanitarian donations and gifts of food, medicine and other necessities. We encourage our people to communicate with the people of Cuba, and, with that goal in mind, we are seeking improved telecommunications with the island.

For those reasons, the United States was unable to vote for the draft resolution.

Mr. FUKUSHIMA (Japan): I have asked to speak in order to place on record Japan's position in abstaining in the vote on the draft resolution contained in document A/48/L.14/Rev.1.

As it indicated last year, Japan has some doubts as to whether a discussion at the United Nations General Assembly can actually be conducive to resolving in a constructive manner the question of the United States embargo against Cuba. This question is very complex in nature, and Japan wonders if the resolution which has just been adopted can, in fact, properly address such complexity. If not, the question will remain unresolved until a better way is found to arrive at an appropriate solution.

Mr. RICARDES (Argentina) *(interpretation from Spanish):* My delegation abstained in the vote on the draft resolution contained in document A/48/L.14/Rev.1 because, although it shares the principles embodied in the draft resolution, it cannot agree that the draft resolution's title should single out a particular Member State or that the measures unilaterally adopted can be described as a blockade.

At the same time, my delegation reaffirms its position of principle, and, in connection with the item before us, it concurs with the statement in the Final Document of the third Ibero-American Summit of Heads of State and Government, held in Salvador, Brazil, on 15 and 16 July this year, that:

"We note the resolutions recently adopted in international forums on the need to eliminate the unilateral application of economic and trade measures by one State against another for political purposes". *(A/48/291, annex, para. 68)*

Mr. KEATING (New Zealand): New Zealand has voted for this resolution, but we have taken this position with some reservations.

We are not attracted to the modifications which have been made to the text from last year. We gave our support to the resolution because we do think that there is an important underlying principle at stake with direct implications for economic and trading interests. In particular, we think that all countries must be able to go about their ordinary trade and commercial business free from the extraterritorial reach of legislation imposed unilaterally by third countries.

We have to emphasize, however, that our vote is not to be interpreted in any way as support for the policies and practices of Cuba. Our action in casting an affirmative vote for this resolution is due solely to our concern over the principle at stake.

Mr. MATIN (Pakistan): Pakistan has voted in favour of the resolution just adopted by the General Assembly. However, we have reservations on the sixth preambular paragraph. If it had been put to the vote separately, we would have abstained on this paragraph.

Mr. SANDOVAL (Paraguay) *(interpretation from Spanish)*: On explicit instructions from my capital, my delegation voted against the draft resolution. Paraguay remains faithful to its international principles and wishes to place on record its total humanitarian support for the people of the fraternal country of Cuba. We also express our unswerving solidarity with the children, women and the elderly, and with the people of Cuba in general, who are suffering from the present terrible situation.

Mr. HUSLID (Norway): Norway to a large extent shares the same objectives the United States is seeking to advance in relation to Cuba. However, we believe that those objectives should now be pursued by other means. The Norwegian Government distinguishes as a matter of principle between sanctions authorized by the international community and sanctions adopted by individual States. Only those sanctions that have been duly enacted by the international community through United Nations decisions are fully legitimate and have a right to international endorsement. For its part, Norway has traditionally disagreed with the application of national jurisdiction outside the territory of individual States.

At the same time, the Norwegian Government strongly deplores the violations of human rights and the lack of democratic rights that still characterize the situation in Cuba. The experience we have gained in Europe, however, indicates that it would not be appropriate to isolate Cuba. Emphasis should instead be placed on involving Cuba in greater cooperation with a view to bringing about changes in the internal situation that could contribute to respect for human rights and democratic processes.

In voting in favour of the draft resolution, our intention was to seek change through contact. This should not be interpreted as support for the policies the Government of Cuba has pursued to date.

Mr. CASSAR (Malta): Malta abstained in the vote on draft resolution A/48/L.14/Rev.1. It is the sincere hope of my country that a solution to this issue will be found in the spirit of the Charter of the United Nations, and through the settlement process envisaged in that document.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 30?

It was so decided.

AGENDA ITEM 170 *(continued)*

THE SITUATION IN BURUNDI (A/48/L.16)

Mr. NYAKYI (United Republic of Tanzania): The Tanzania delegation welcomes the addition of the item "The situation in Burundi" to the agenda of the General Assembly, for two reasons.

First, as a neighbouring State my country has a direct interest in what happens in Burundi, just as Burundi has a direct interest in what happens in Tanzania. A coup in Burundi inevitably leads to the exodus of refugees across our common border of approximately 400 kilometres.

Secondly, the coup that took place in Burundi on 21 October 1993 is so out of step with the democratic process on the march everywhere on the continent that Africa must use every opportunity to condemn it and its attendant murder and violence in order to deter other selfish and unscrupulous people on the continent who may be tempted to embark on a similar criminal adventure.

The debate is also a recognition and an acknowledgement by the international community of the gravity of the situation in Burundi. Few if any *coups d'état* in Africa have been greeted with the almost universal rejection and condemnation that have greeted the

violent overthrow of the democratically elected Government of Burundi on 21 October. This international act of solidarity with the people of Burundi is very reassuring as they struggle to pull their country back from the brink of the devastating ethnic conflict that is now threatening to engulf the country.

Like Latin America, the continent of Africa has been notorious for its acceptance of or acquiescence in the violent overthrow of democratically elected Governments on the continent. We have almost lost count of the number of coups that have taken place on the continent since the early 1960s, when most African countries gained their independence. Until now, few African countries could bring themselves to condemn these assaults on the will of the African people. The majority seemed to be more content with preserving the principle we all cherish - of non-interference in the internal affairs of States - than with upholding the will of the people.

The nearly universal condemnation of the coup in Burundi by virtually all African countries is a refreshing recognition by Africa that supporting and upholding the will of the African people and vigorously defending the principle of non-interference in the internal affairs of States are not irreconcilable.

The Organization of African Unity (OAU) is to be commended for taking the lead. Its central organ of the mechanism for the prevention, management and resolution of conflict lost no time in swiftly condemning the coup, calling on those responsible to put an end to their illegal act, to respect life, to restore the democratically elected Government and to return to barracks.

Here at the United Nations, the whole of Africa - whether at the level of the African Group, of Burundi's neighbours in the subregion or of Africa's representatives on the Security Council - acted in concert to secure the international community's condemnation of the heinous crime committed against the Government and the people of Burundi by what has now turned out to be a group of power-hungry self-seekers who were prepared to murder in cold blood the President and other national leaders in order to stop the democratic process. Africa's unprecedented revulsion at this crime helped forge a consensus that enabled the Security Council to move swiftly to issue a presidential statement reaffirming Africa's condemnation of the crime.

Today's debate in the General Assembly enables the wider international community to follow up the action of the Security Council. The international community now has to follow up the Council's condemnation with concrete measures to assist in the efforts to return the situation to normalcy and to provide emergency assistance to the internally displaced population and to the population that has been compelled by the uncontrolled campaign of violence and murder to seek refuge in neighbouring countries.

Urgent action is required in two important areas, the first of which is that of security. Although the coup has collapsed, thanks to universal rejection, total condemnation and the heroic resistance of the population, the violence it unleashed continues to plague the country. There are disturbing stories of uncontrolled violence in several parts of the country, particularly in the rural areas, which has resulted in the massacre of many people, including innocent civilians. Unless the violence is stopped forthwith, there is a real danger of a full-scale civil war breaking out between the two major ethnic groups that make up the great majority of Burundi's population.

There is also the urgent need to create an atmosphere of security in the country, particularly in the capital, Bujumbura, in order to enable the remaining members of the legitimate Government to reassert their authority over the country. Only a neutral external force will be able to inspire the kind of confidence and trust that are necessary for the return of peace and normalcy to the country.

At their recent Summit Meeting in Kigali, Rwanda, the leaders of Rwanda, Tanzania and Zaire and the Organization of African Unity (OAU) called for the establishment of an international force for stabilization and confidence-building and asked the Secretary-General of the United Nations, in cooperation with the Secretary-General of the OAU, to establish it. The leaders expressed their countries' readiness to participate in such a force. My delegation urges the United Nations to take up the proposal and pledges its full support for any efforts designed to follow it up in the appropriate forums of our Organization.

The coup and the resulting conflict have already led to the massacre of many people, the displacement of many more and a massive number of refugees crossing borders into neighbouring countries. The second and most urgent area of attention is therefore the mobilization of emergency relief assistance and support for the internally displaced and refugee population.

As I indicated at the beginning of my statement, even if it wanted to stay out of the conflict in Burundi, Tanzania could not afford to do so. The ties of history, culture and geography linking the two countries, not to mention the imperatives of good-neighbourly cooperation, make it virtually impossible for us to remain aloof from developments in Burundi. Every conflict in Burundi has resulted in a large number of refugees from Burundi

seeking asylum in Tanzania. This happened during the conflicts in 1965, 1969, 1972, 1988 and 1991. The vast majority of the estimated 180,000 to 240,000 refugees from Burundi seeking asylum in neighbouring countries are in Tanzania. The present conflict has already forced nearly 300,000 people from Burundi to seek asylum in Tanzania, and the number is rising daily. As always, the people of Tanzania in the areas bordering Burundi have responded magnificently to the emergency. For example, one village with a normal population of 4,000 now has a population of over 20,000. Their need for outside support and assistance is obvious. The Government of Tanzania would like to thank the donor community, and especially the Office of the United Nations High Commissioner for Refugees, for its support. We are confident that, as it continues to mobilize more assistance for the emergency in Burundi, it will continue to remember the needs of people of Burundi living in exile outside their country.

We cannot find strong enough language to condemn the misguided attempt to roll back the democratic gains endorsed by the people of Burundi in the June elections. All of us have a duty to condemn the cowardly murder of the President and other leaders and to support the right of the Government to bring to justice those responsible for these despicable acts. The legitimate Government must be restored forthwith, and the army must return to barracks.

What happened in Burundi on 21 October 1993 was a great tragedy for Burundi and a great setback for the cause of democracy and reconciliation in Burundi, Africa and, indeed, the world. The draft resolution we are about to adopt, which my delegation fully supports, will send the perpetrators of the crime the loud and clear message that they have set themselves up against the whole of the international community.

Mr. MUMBENGEGWI (Zimbabwe): Let me begin, Mr. President, by thanking you for giving the General Assembly the opportunity last Friday, 29 October, to pay homage and tribute to the late President of Burundi, Melchior Ndadaye.

It is almost two weeks now since we received the news of the tragic events of 21 October 1993 in Burundi. Ever since that date, our condemnation of the attempted coup in that country has been unequivocal. We are gratified that relief agencies have responded quickly to the immediate humanitarian needs of the people of Burundi.

The international community's concern over developments in Burundi is clearly illustrated by the United Nations Secretary-General's dispatch of a special envoy to that country and by the efforts of the Secretary-General of the Organization of African Unity (OAU) to consult with neighbouring Heads of State on the events there. It is our hope that the combined efforts of the OAU and the United Nations will put into place a viable mechanism for the speedy restoration of the authority of the legitimate Government in Burundi. To that end, Zimbabwe fully supports the decision of the Regional Summit held in Kigali on 28 October 1993 that an international force for stabilization and confidence-building be set up by the United Nations, in close cooperation with the Organization of African Unity, as requested by the legitimate Government of Burundi.

The present intolerable reality is that the democratic process in Burundi remains unjustifiably interrupted. This state of affairs should not be allowed to continue. Every effort should be made to stop any further loss of human life, and any further displacement of people within the country, as well as the continuing flow of refugees to neighbouring countries.

We therefore call upon the international community to redouble its efforts and initiatives aimed at achieving nothing less than the immediate restoration of democracy and constitutional government in Burundi, and the immediate and unconditional return of the military to barracks.

The draft resolution before the Assembly constitutes an important stepping stone for the international community in its efforts to support the people of Burundi, and the democratic process in that country. It therefore deserves our fullest support.

Mr. JESUS (Cape Verde): The people of Burundi made their clear choice in recent elections by voting into power the first democratic Government in the history of that country. Their hopes of living in a free and democratic country were shattered by the military *coup d'état*, in total disregard for their free will.

The recent events in Burundi that led to the assassination of President Ndadaye and other members of the Government of that country provoked world-wide outrage and condemnation. The Security Council also, at the request of its African members, took immediate action and condemned the coup.

This violent action against the newly established democracy in Burundi is a threat to all of us at a time when there is world-wide recognition of the need to respect the free will of peoples in determining their destiny and deciding the shape and form of their government. We hope that the episode of Burundi is an isolated incident in the democratization process in Africa, and that it is the last

gasp of an era in which *coups d'état* seem to have been the usual procedure to attain power in our continent.

However, like the rest of the world, Africa has changed, and the prompt and unequivocal response by the Organization of African Unity (OAU) and its members against the *coup d'état* in Burundi is a clear demonstration of this fundamental change in attitude.

As a newly established democracy itself, Cape Verde could not but condemn the *coup d'état* staged against the newborn democracy in that sister country, and joined other members of the Security Council in requesting the immediate reinstitution of the democratically elected Government.

We also condemned the violence used by the plotters to attain their goals. We believe, as does the Security Council, that those found to have caused the deaths of the government officials of Burundi should be brought to justice.

The power vacuum created by the coup spawns conditions for an increase in violence which threatens to spread throughout the country. It becomes imperative, therefore, that conditions be created to allow the remaining members of the elected Government of Burundi immediately to take charge of the country. In this context, the immediate and concrete assistance of the OAU and the United Nations seems to be of the essence.

We express our condolences to the people of Burundi and to the family members of President Ndadaye and all those that have fallen in Burundi for democracy.

Mr. ELARABY (Egypt) *(interpretation from Arabic)*: The delegation of Egypt is deeply saddened by the deplorable events that have taken place in Burundi. The Egyptian Government has followed closely, at the highest level, the regrettable developments in that country. President Mubarak, in his capacity as the current Chairman of the Organization of African Unity (OAU), has voiced deep concern over the consequences arising from those developments and the threats they pose to the safety and security of the people of Burundi and to the democratic process there in the country. Such threats complicate further the problems of Africa.

The official statement of 22 October 1993 by the Ministry for Foreign Affairs of Egypt condemns the bloody *coup d'état* which claimed the lives of many citizens and high-ranking officials in Burundi. The President of the Security Council was immediately contacted on the instructions of the Chairman of the Organization of African Unity to convey the deep concern of Egypt and the whole of Africa and request the Council to conduct the necessary consultations in order to contain the situation and address its consequences in conformity with the United Nations Charter. The aim is to preserve the integrity of that State, ensure the safety of its people and uphold the principles of democracy.

As is known, the Security Council has issued a presidential statement in which it condemned the setback to the democratic process in Burundi and called on the perpetrators of the *coup d'état* to lay down their arms and return to their barracks.

At the African level, the central mechanism for the prevention, management and resolution of disputes in the OAU has issued a statement in which it declared the bloody *coup d'état* to be a setback not only for Burundi but also for the entire African continent.

The African Group in New York also has issued a statement condemning the cowardly assassination of President Ndadaye and the other officials who were killed in the coup and considered it to be a serious threat. The President of Rwanda also called a regional summit at Kigali in which a number of African officials participated, including a high-ranking Egyptian envoy representing the current Chairman of the OAU.

The mini-Kigali summit discussed the situation and views were exchanged in order to explore the ways and means whereby assistance may be provided to the people of Burundi in its efforts to restore peace and security and ensure the return to power of the legitimate Government in Burundi that was democratically elected last June.

We in Africa are extremely concerned over the events in Burundi. Burundi was one of the countries that made a speedy move, in an exemplary fashion, towards a healthy climate of democracy. It is indeed unfortunate that that leap forward has suffered such a setback because of the *coup d'état* that claimed the lives of the President and Vice-President and thus created a vacuum in the higher echelon of leadership.

The coup also contains the seeds of rebellion and ethnic strife. These, as we all know, are ominous signs of much more serious consequences that may not be limited to Burundi but may overspill beyond its borders through the massive displacement of refugees that may ensue and affect the whole region.

The international community, having condemned the *coup d'état* attempt, must now act, through the General Assembly, and take prompt action to deal with the deplorable situation in Burundi. The General Assembly

should adopt the draft resolution submitted by the Chairman of the Group of African States and thereby declare its solidarity with the people of Burundi, underscore the need to respect democratic institutions and provide humanitarian assistance to the population of that country.

The PRESIDENT: In accordance with the provisions of General Assembly resolution 2011 (XX), of 11 October 1965, I now call upon the Observer for the Organization of African Unity.

Mr. SY (Organization of African Unity) *(interpretation from French):* The tragic events that plunged Burundi into mourning on 21 October 1993 are for so many reasons a subject of grave concern to the Organization of African Unity (OAU). A Head of State who was elected barely five months ago in a completely democratic manner, and who, moreover, embodied a whole people's hopes for reconciliation, understanding and progress, was brutally assassinated by the perpetrators of the putsch, blinded by their hatred for democracy.

Democratic institutions freely chosen by a people have been paralysed by a military clique which believes that it can halt the democratic process by physically eliminating the representatives of the people.

Lastly, we are confronted with a situation in which the putschists' violent deeds are exacerbating ethnic intolerance and sectarianism and provoking reprisals and other widespread violations of human rights, threatening to destroy the social fabric completely. These facts are very serious indeed. For this reason, on 22 October 1993 the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resoiution expressed its grave concern at the alarming situation created by the military *coup d'état* against a democratically elected President, and strongly emphasized that the coup represents a step backward for Burundi and a grave assault on the cause of democracy, not only in that country but in all of Africa. The Central Organ condemned that act, which is all the more reprehensible in that only four months ago the Heads of State and Government of the States members of the Organization of African Unity, in their Declaration at Cairo on the occasion of the thirtieth anniversary of the organization, had stated:

> "... we undertake to promote the rights and freedoms of our peoples and to enhance the democratic values, ideals and institutions of our States in cultural, social, linguistic and religious diversity". *(A/48/322, annex II, para. 12)*

The actions of President Ndadaye were merely the translation of that profession of faith into deeds. The putsch of 21 October 1993 was therefore a serious challenge to the new Africa that the OAU and the African States are trying to build. Our stand reflects not only the condemnation of assassination as a means of gaining power but also and above all our conviction that democracy is an authentically African value that must be nourished and protected if we are not to turn our back on progress.

In this connection the African countries have been heartened to note that their feelings and views are widely shared by the international community. Thus, the Security Council strongly condemned the acts of violence by the perpetrators of the coup and expressed deep regret at the loss of life that had resulted. The Council also demanded that the perpetrators of the *coup d'état* cease all their acts of violence, release all prisoners, return to their barracks and put an immediate end to their illegal act, with a view to the immediate reinstitution of democracy and constitutional rule in Burundi *(S/PV.3297, pp. 3 and 4)*.

Only a week ago the President of the Security Council read out the statement by which I have just referred, but the situation on the ground has improved only slightly. True, the *coup d'état* has failed, but the members of the country's legal Government are still not in a position to ensure the normal functioning of public institutions.

The resultant atmosphere of insecurity is a major impediment, and Burundi finds itself in the dangerous situation of a country whose Government is paralysed. If this situation is allowed to continue the climate of violence and insecurity may worsen. We have all the more reason to fear such an eventuality given the news we have received of acts of intimidation and summary executions being carried out in the countryside, frequently by military personnel.

Such events have given rise to a massive flow of refugees - the figure of 600,000 has been quoted - to neighbouring countries. These refugees, as well as the populations receiving them, require urgent assistance from the international community. Their number is likely to grow as long as the threat from rebel bands of soldiers persists. This is why the summit meeting held by three neighbouring countries at Kigali on 28 October 1993 stressed the urgent need to establish a stabilization force with the mandate of building trust and restoring security in the country.

That stabilization force will be made up of forces from neighbouring African countries, but it will still need the support of the international community, and in

particular the United Nations, if it is to be rapidly dispatched to Burundi.

The Organization of African Unity supports the dispatch of such a force and hopes that the Security Council will rapidly address the question in order to decide how the United Nations can concretely support such a force. This decision is the more pressing in that it is essential that the massacre of innocent civilians be ended as quickly as possible. Any temporization could have incalculable consequences for the peace and security of a region that has only just emerged from another painful fratricidal conflict.

For his part, the Secretary-General of the OAU, Mr. Salim Ahmed Salim, went to Burundi last week to assist in promoting the return to constitutional order. In addition, two days ago he dispatched to the country a high-level delegation led by his Special Envoy for Burundi. That mission will be entrusted with pursuing the discussions begun by Mr. Salim with a view to finding a rapid and lasting solution to the crisis in Burundi.

The failure of the putsch in Burundi has shown that democracy has taken deep root in African soil. The overwhelming majority of the people of Burundi have opposed the criminal acts of a few sectarian rebel groups. That courageous opposition, which fills us with optimism for the future of the democratic movement in that country, must be energetically supported by the international community if it wants to avoid seeing old wounds reopened, the national unity so laboriously fashioned undone, and the foundations of democracy undermined. Our action in coming days will be decisive not only for the future of Burundi but for the future of democracy. We must demonstrate that it is no longer possible to go backwards, that the era of *coups d'état* is over and that political assassination is intolerable. We must demonstrate that the other democracies are capable of acting together to assist one that is being threatened or under serious attack.

Let us demonstrate that the future of democracy in Latin America, in Eastern Europe or in Africa is dear to us and that we are prepared to show the same concern everywhere. It is now or never.

The PRESIDENT: The representative of Algeria has asked to make a statement with regard to draft resolution A/48/L.16, and I now call upon him.

Mr. LAMAMRA (Algeria) *(interpretation from French)*: I should like to make three comments.

First, on behalf of the Group of African States I should like to thank all the delegations that have participated in this debate and those that will show that they share the same views and feelings by joining in the consensus adoption of draft resolution A/48/L.16.

Secondly, I should like, for the record, to say that Algeria's sponsorship of the draft resolution introduced by Burundi is on behalf of all delegations of the African Group.

Thirdly, I should like, with the consent of the delegation of Burundi, and following consultations, to propose a small oral amendment to the fourth preambular paragraph of the draft resolution. This will not in any way affect the objective of the text. I propose the addition, at the end of the paragraph, of the following:

"with significant regional repercussions,".

The paragraph would then read as follows:

> "Seriously disturbed by the tragic consequences of the *coup d'état* which is plunging Burundi into violence and causing loss of life and mass displacement of the population, with significant regional repercussions,".

The PRESIDENT: We shall now proceed to take a decision on draft resolution A/48/L.16.

I call on the representative of Tunisia for an explanation of position.

May I remind representatives that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. ABDELLAH (Tunisia) *(interpretation from French)*: The events that have brought bloodshed to Burundi and have involved the overthrow of the legitimate, democratically elected President of that country have caused great concern in my country and throughout the international community. Tunisia, as a member of the Organization of African Unity (OAU), responded immediately to this criminal action. We issued a declaration reflecting our concern and condemning the *coup d'état*, which is prejudicial to Burundi's progress towards peace and development.

Tunisia is committed to the principles of democracy, and it respects the will of peoples to order their own affairs through democratic institutions. Tunisia has strongly condemned the putsch, which undermines the democratic process in this neighbouring African country - a process marked by the free and honest presidential elections of last

June, which were monitored by foreign observers under the auspices of the OAU.

Faith and resolve were invested in the efforts to establish in Burundi a national covenant rising above tribal attitudes, to facilitate action in the higher interests of the country. Tunisia believes that the entire international community must demonstrate solidarity with this fraternal country by providing emergency humanitarian aid for the people who are affected.

Tunisia endorses the draft resolution, with the amendment proposed by the Ambassador of Algeria as Chairman of the African Group. We appeal to all delegations to demonstrate good will with a view to securing the restoration of constitutional legitimacy.

The PRESIDENT: Before the Assembly takes a decision on draft resolution A/48/L.16 I should like to announce that Haiti has become a sponsor of the draft resolution.

May I take it that the Assembly decides to adopt the draft resolution as orally revised by consensus?

Draft resolution A/48/L.16, as orally revised, was adopted (resolution 48/17).

The PRESIDENT: I call on the representative of Mexico for an explanation of position.

May I remind representatives that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. TELLO (Mexico) *(interpretation from Spanish):* My delegation joined in the consensus on this matter because we believe that what has happened in Burundi is reprehensible in all respects. However, we have our doubts as to the General Assembly's competence to make a judgement such as that incorporated in the resolution. Mexico maintains that it is incumbent solely on the people of Burundi to find the path to democracy and proper institutional government.

The PRESIDENT: We have thus concluded this stage of our consideration of agenda item 170.

The meeting rose at 12.55 p.m.